

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
August 20, 1982

The Assembly met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

QUESTIONS

Bargaining Rights of Construction Workers

MR. SHILLINGTON: — Mr. Speaker, my question is to the Minister of Labor. On Wednesday of this week, Mr. Justice Vancise of the Court of Queen's Bench rendered a decision which has the effect of placing in jeopardy the rights of the employees of the construction industry to bargain collectively.

MR. SPEAKER: — Order, order! I must warn the people in the galleries that they are in no way allowed to enter into the debate in this Chamber by either clapping or speaking or waving placards or anything of that nature. The only ones allowed to enter the debate in this Chamber are duly elected members. I would ask the people in the gallery to refrain from entering into the debate. The member for Regina Centre.

MR. SHILLINGTON: — Thank you, Mr. Speaker. The decision has the effect of giving the industry practically free rein to hire non-union employees. It has the effect of placing in jeopardy the rights of the employees of the construction industry to bargain collectively. Will the minister give us an unequivocal assurance that he will introduce the necessary amendments to redress this imbalance?

HON. MR. McLAREN: — Mr. Speaker, I have been talking to a lot of the construction workers myself over the last few weeks. It was not our bill, Mr. Snyder brought it in. The employees out there, I understand, are not happy with it. I have suggested to them that our department would be willing to sit down with them once this strike is over to discuss pros and cons of what is in that legislation right now.

MR. SHILLINGTON: — The minister says he will discuss it with them after the strike is over. Surely the problem has escaped the minister. I remind the minister there has been a strike in this province for two or three months, and this decision renders that strike far more difficult to settle. How long is it going to take you to make up your mind as to whether or not you are going to introduce the legislation? Are you going to do nothing until the strike is over?

HON. MR. McLAREN: — Mr. Speaker, as long as people are talking, which they have been over the last 10 days (and many other days), it is the collective bargaining process, and I have no intention whatsoever of intervening while that process is going on.

SOME HON. MEMBERS: Hear, hear!

MR. SHILLINGTON: — The minister doesn't seem to have understood the question. He hasn't made any attempt to answer it. Let me repeat it. Will the minister assure us that he will introduce the necessary legislation at the next session to correct this situation?

HON. MR. McLAREN: — I can't promise I will do that until I have had the opportunity to sit down with both sides and find out what the problems are. We can't make any change until we know what changes are necessary.

Right-to-Work Legislation

MR. SHILLINGTON: — A new question, Mr. Speaker. The members of the construction industry (the employers) have been talking about right-to-work legislation. They see that as a solution to this strike. Will the minister give us unequivocal assurance that there will be no right-to-work legislation introduced in this province while he is Minister of Labor?

HON. MR. McLAREN: — Assurance that there won't be right-to-work legislation introduced?

AN HON. MEMBER: — That's what he asked.

HON. MR. McLAREN: — Right now I'd like to remind the members opposite that (this has been in the papers and I've said it on the news) we are getting briefs from all sides — unions, management, personnel associations, individuals. I even have employees coming into my office. I have had remarks from unions that there aren't enough teeth in The Trade Union Act as it is right now and people have come in to say that we need right to work. There's no way I'm going to make any decision on that until all those briefs are in. I just won't offer any assurance whatsoever.

MR. SHILLINGTON: — Is the Minister of Labor saying that the government opposite is considering right-to-work legislation, which would be first north of about the 35th parallel? Is the Minister of Labor saying that you are considering right-to-work legislation? Is that your answer?

HON. MR. McLAREN: — I am saying that we won't comment on any aspect of The Trade Union Act until I know what all the requests are. There's a strike on right now. We're not going to interfere by talking about changes while that is going on. We want the strike to end. After that we will sit down with all sides and see what the requests are, even down to the union members.

SOME HON. MEMBERS: Hear, hear!

Cancer Foundation Strike

MR. LINGENFELTER: — Mr. Speaker, my question will be directed to the Minister of Health. The Minister of Health will be aware, having been called here to legislate people back to work of the very grave situation that we are dealing with at the present time. My question to the minister is: can he inform the Assembly and the people of the province how many times he has met with the two sides involved in the dispute, and how many hours he has spent personally involved in trying to get a negotiated settlement to this strike?

HON. MR. TAYLOR: — In answer to the member's question, I would be glad to inform the Assembly of the proceedings that have taken place. As the member well knows, bargaining has been going on. The situation of this contract has been going on for a period of 10 months. Recently, because bargaining broke down, there was a very

serious strike in this province affecting the lives and the welfare of many people, putting people through a period of anxiety and traumatic experience.

You wanted to know how many times I've met. When I saw there was an impasse, I along with the Minister of Labor, called the two sides together for a meeting. The meeting lasted approximately 30 minutes, in which time I put forth the proposal of a three-man board of conciliation to look at this impasse, provided that the workers would go back to work the next day. I gave them until noon the next day to give me an answer. That's the amount of time that we have spent on this. I want to reassure the member that I don't think my role is to interfere in the collective bargaining process. There was a serious impasse that was affecting the lives of Saskatchewan people. I came forward with what I thought was a reasonable and logical solution to that impasse.

SOME HON. MEMBERS: Hear, hear!

MR. LINGENFELTER: — Supplementary, Mr. Speaker, to the Minister of Health. The minister has informed us that the total amount of time that he has spent being personally involved with both sides has been 25 minutes, not getting negotiations going or getting the process working, but delivering an ultimatum which he then gave the two sides 24 hours to give an answer to. I'm just wondering if the minister can inform this Assembly if these are the kinds of tactics that will be used in the future in dealing with labor disputes: you don't try to get the talks going as has been done in the past, where the minister facilitates the two sides to talk in the building or whatever, but you meet with them, deliver them an ultimatum and ask for a response in 24 hours. Are these the types of things we're going to see in labor disputes from now on?

HON. MR. TAYLOR: — In answer to the member's question, I would like to inform him that had he been aware of the reports from both sides following that meeting, and from me, he would have known that there was a very positive atmosphere. There was no mention of an ultimatum of any sort or type at that meeting.

Now as to your question — if this is the type of action toward collective bargaining that this government is taking — certainly not. We honor free collective bargaining. If you'd been present at that meeting you'd know (and the members who were there can verify) that I said, "If you go back to the bargaining table and you have an agreement before noon tomorrow, I will be a very happy man." Those were the words I said. Is that flying in the face of collective bargaining?

Getting back to the question of whether this is our stance, our stance is to honor free collective bargaining, but the Devine government has shown the people of Saskatchewan that it lives up to its commitments. Our commitment is to provide health care.

SOME HON. MEMBERS: Hear, hear!

HON. MR. TAYLOR: — When we find a collective bargaining situation that is endangering the lives of the people of Saskatchewan, yes, we will take action and decisive action.

MR. LINGENFELTER: — Mr. Speaker, a supplementary to the Minister of Health. In the budget of last March, which the previous government introduced, there was an increase proposed to the Saskatchewan cancer commission of 18 per cent. Can the

minister tell me whether or not that 18 per cent increase has been delivered, and if not 18 per cent, what amount of money has been given to the cancer commission over and above last year's allotment to allow for the increase in staffing which would have alleviated the strike we are presently in?

HON. MR. TAYLOR: — I can tell the member opposite that the commitment of the government on this side of the House, the new government in Saskatchewan, as expounded by the Premier, is to make health care in Saskatchewan number one in Canada. We will do that, and over the next four years you will see this happen.

As far as the commitment and the expenditures to health care in Saskatchewan, I would like to inform this Assembly that the expenditures of this government in this year will be in excess of the budget of the previous government as announced in its budget.

MR. LINGENFELTER: — Mr. Speaker, the minister is having a hard time answering the question which I asked. I asked whether or not any extra money had been put into the Saskatchewan cancer commission to avoid the strike which we are presently in.

HON. MR. TAYLOR: — In answer to that, if the money that was put forward was not adequate, who were the people who put the money forward originally? However, you have the assurance of this government that if the cancer foundation requests additional funds, it will be given due consideration. I have not had a request from the cancer foundation for any such funds.

MR. KOSKIE: — As the minister will know, since he assumed office, he has excelled in many areas of anti-union correction. He has refused to implement a minimum wage.

MR. SPEAKER: — Order! Does the member have a question? We are not here to make statements of what we think and what we feel, but rather to ask questions.

MR. KOSKIE: — Yes, Mr. Speaker. I want to say to the Minister of Labor that during his time in office he has done very little other than sit on his hands. I want to ask the minister to outline specifically what steps he has taken in respect to the cancer workers' strike?

HON. MR. McLAREN: — Are you talking with regard to the construction strike?

AN HON. MEMBER: — No, the cancer.

HON. MR. McLAREN: — I wasn't involved with the cancer strike other than just offering the services of our department to them.

MR. KOSKIE: — I would like to ask a supplementary. Is this going to be the future policy of the Minister of Labor on subsequent disputes, to not lend his offices and his services to the resolution of the major disputes in the province?

HON. MR. McLAREN: — We have been lending our services every day since May 1. Our conciliation officers, Sig Walter, Cliff Hagen, and Mr. Lucas have been meeting and talking to the trades for this period of time.

Major Issues in Cancer Workers' Strike

MR. KOSKIE: — Can the minister outline what the major issues are in the contract dispute with respect to the cancer workers? What are the major issues in that dispute?

HON. MR. McLAREN: — Mr. Speaker, I have had nothing to do with the cancer situation bargaining or negotiations since I have been in office.

Provincial Government Hiring Practices

MR. HAMMERSMITH: — A question to the Premier, Mr. Speaker. The Premier will be aware, as president of the Executive Council, that a form letter on Executive Council letterhead, signed by an R.L. Forsyth, transition committee, is currently being sent to all applicants for employment with the Government of Saskatchewan. The letter also instructs applicants to forward the application to the same R.L. Forsyth, transition committee, for some type of political filtering before it goes to the public service commission. My question is: does this practice reflect the Premier's view that the public service commission is less than professional and is not to be trusted in establishing his view of a professional public service in Saskatchewan?

HON. MR. BERNTSON: — Mr. Speaker, I think as chairman of the transition committee — I don't think that has been kept much of a secret . . . The member should know who the chairman of the transition committee is. I would just like to inform the member I'm not familiar with the letter that he's bandying about, and I'm prepared to take notice of that particular question. I would like to point out, though, that we have invited all people to come back to Saskatchewan. Saskatchewan is open for business. We have 1,300 vacancies in the public service today. That is not to say that all of them will be filled, either, because I think many of those vacancies are properly vacant, and they will remain so. Suffice it to say at this time that I will take notice of your question, and deal with it when I've had a chance to review the letter.

MR. HAMMERSMITH: — Mr. Speaker, the question was to the president of the Executive Council, since the letter is on Executive Council letterhead, and I assume that the chairman of the transition committee reports to the entire Executive Council. Is the Premier, since he is the one who has continually, publicly, stated a desire to create a professional public service, not aware of this kind of communication going out to every applicant for a job with the Government of Saskatchewan on the letterhead of the Executive Council?

HON. MR. BERNTSON: — Well, Mr. Speaker, I am going to try to keep it simple. I don't want to go over his head. The simple answer is: I will take notice of the question when I've had a chance to review the letter. I'm sure when the Premier has had a chance to review the letter, he can deal with the matter you raised in your question. Therefore, quite simply, Mr. Speaker, I take notice of the question.

Employment of Mr. Charlette

MR. HAMMERSMITH: — New question to the Premier, Mr. Speaker. Since the Premier is unaware of the details of the previous question under the name of the Executive Council, I want to ask him about an item that he personally signed. That was an order in council hiring a Mr. Ed Charlette from Sandy Bay as a collections officer in the Department of Northern Saskatchewan's economic development branch. Did the Premier have the chairman of the transition committee, or anyone else, check the suitability of Mr. Charlette for that position?

HON. MR. DEVINE: — Mr. Speaker, I would let the Minister of Northern Saskatchewan

answer the question.

HON. MR. McLEOD: — Mr. Speaker, in answer to the hon. member's question regarding employment of a Mr. Charlette in northern Saskatchewan as a collections officer, I believe, with the economic development branch, an observation certainly in answer to it would be in order.

The economic development branch under the former administration and under that member's former branch was very, very interested in handing out money, pumping money out. Very, very few people were ever retained as collections officers in that branch. This particular person was retained as a collections officer. I don't apologize for that, and if he performs as any other public servant — if he performs the job as requested — he will be retained; if he does not perform he will not be retained.

MR. HAMMERSMITH: — Supplementary. It was the Premier who signed the order in council, but since the Premier refuses to answer for his ministers, would the Minister of Northern Saskatchewan then assure this House that the first assignment of this new collections officer will be to collect his own loan, given in 1977, on which no payments were made — no interest payments have been made — and which is in arrears? Will he collect that loan first?

HON. MR. McLEOD: — In answer to the hon. member's question, to be honest with you, I wasn't aware that he had a loan, but if that's the case, certainly that will be one of his assignments, and the other thing about it is if that member, who was the minister of northern Saskatchewan for some considerable time longer than I have been the Minister of Northern Saskatchewan, knew about that loan for that length of time, why did he not have some collections officer attempting to collect this loan?

MR. HAMMERSMITH: — Supplementary, Mr. Speaker. We did not make this public debtor a collections officer for the Government of Saskatchewan.

Supplementary to the Premier. Does this reflect his view of how one goes about creating a professional public service — that you find someone who is indebted to the public, and make that person a collections officer on behalf of the public? Is that creating a professional civil service?

HON. MR. DEVINE: — Mr. Speaker, we are in the process of not only inviting people back to the province of Saskatchewan, but indeed making sure that we get the job done, as efficiently and as effectively as we can. On occasion, in certain circumstances, as I am sure the member knows, we want people involved in regional locations who could help us get that job done. In this case it applies and I am sure that it will be a very effective job.

Dismissal of Mr. Moncur

MR. SHILLINGTON: — I have a question to the Premier. An acquaintance and indeed a close associate of yours, Mr. George Hill, who is also a member of the board of the SPC, when asked why he had let Mr. Moncur, the general manager of SPC, go, is reported to have replied, "We just want one of our own boys."

Is the Premier saying that that represents the reason why Mr. Moncur was dismissed? Is that the reason why he was dismissed — because you want one of your own people?

HON. MR. DEVINE: — Well, there are two observations to address to that question. One, we respect the views of the boards of directors of crown corporations. They make those decisions.

The second observation, Mr. Speaker, is that the individual who was promoted to being the chief executive officer of Sask Power has had a long history of being a Sask Power employee and a professional civil servant and to date it is well-accepted and indeed the morale in SPC is higher than it has been for some time.

Health Care in Northern Saskatchewan

MR. YEW: — My question is to the Minister of Health. In view of your stated commitment to prioritize health care for the province of Saskatchewan, Mr. Minister, and in view of the dire need to improve health care services for northern Saskatchewan due to the fact that existing facilities have deteriorated and facilities are totally inadequate, can the Minister of Health provide clear information and direction to local governments and to the people of northern Saskatchewan as to when those projects to provide for improved health care services and facilities can be proceeded with and approved, particularly the La Ronge Hospital and the nursing care homes throughout northern Saskatchewan?

HON. MR. TAYLOR: — In answer to the member's question, I wonder if the deterioration of the facilities has taken place in the last 100 days. It would seem strange that that would have been the time frame.

However, in answer to your question regarding services to the people of northern Saskatchewan, which I think you asked sincerely, I am pleased to announce that our department has entered into an agreement with doctors in Uranium City by which there will be three doctors providing medical services seven days a week to the people of Uranium City and the surrounding areas of the Athabasca basin. At this point in time all capital facilities are still under review by this government. But health services to the people of the North and to all the people of Saskatchewan will be maintained and improved under this government, as I mentioned earlier in the question period.

ORDERS OF THE DAY

ANNOUNCEMENTS

Presentation of Newly Elected MLA

MR. SPEAKER: — Under orders of the day, I beg to inform the Assembly that the Clerk of the Legislative Assembly has received from the chief electoral officer a certificate of the election and return of John Paul Meagher, Esq., as member for the constituency of Prince Albert.

SOME HON. MEMBERS: Hear, hear!

HON. MR. DEVINE: — Mr. Speaker, I have the honor to present to you John Paul Meagher, Esq., member for the constituency of Prince Albert, who has taken the oath and signed the roll and now claims the right to take his seat.

MR. SPEAKER: — Let the hon. member take his seat.

HON. MEMBERS: Hear, hear!

INTRODUCTION OF BILLS

Bill No. 38 — An Act respecting the Maintenance of Operations of the Saskatchewan Cancer Foundation

HON. MR. BERNTSON: — Mr. Speaker, I ask leave of the Assembly to introduce first reading of a bill, an Act respecting the Maintenance of Operations of the Saskatchewan Cancer Foundation.

MR. SPEAKER: — The Hon. House Leader has asked for leave to introduce a bill. Is leave granted?

HON. MR. BERNTSON: — Mr. Speaker, I beg to inform the Assembly that His Honor, the Lieutenant-Governor, having been informed of the subject matter of the bill, recommends it to the consideration of the Assembly. I move that a bill, an Act respecting the Maintenance of Operations of the Saskatchewan Cancer Foundation be now introduced and read a first time.

Motion agreed to and by leave of the Assembly the bill ordered to be read a second time immediately.

SECOND READINGS

Bill No. 38 — An Act respecting the Maintenance of Operations of the Saskatchewan Cancer Foundation

HON. MR. BERNTSON: — Mr. Speaker, in speaking to second reading of this bill, I first want to commend the workers of government services for restoring the Chamber to a condition such that we can, in fact, come in here to debate this important piece of legislation. Those of you who hadn't seen it two days ago won't understand, of course, the state that it was in a couple of days ago and the work that they must have had to do to get it back into shape. I understand that the lights are something less than perfect but they are tolerable. I also want to thank, Mr. Speaker, all the members who have turned out for this debate on such short notice. There was only about one and one-half days of notice, and I see that the vast majority of the members have made it back to participate in this debate. I appreciate their efforts in so doing.

Mr. Speaker, we view this as very important and urgent legislation. I have given an advance copy to the opposition. We will be asking for leave every step of the way so that it can be dealt with as quickly as possible and, Mr. Speaker, we will proceed on that basis. I am not sure that anyone in this legislature is happy to be back in the Chamber today. I am just as certain no humane alternative exists. We must act to legislate for a settlement in the dispute between the Saskatchewan Government Employees' Union (SGEU) and the Saskatchewan Health-care Association to restore treatment to cancer patients.

Strikes are regrettable but accepted events in our society. There is frequently no better way for employees to establish the value of their work to the employer than to withdraw it for an indefinite period. But in rare circumstances the social and personal costs loaded on innocent people are so cruelly and dangerously high that an employer-employee confrontation cannot be permitted by any government to run its uncertain

course. That, Mr. Speaker, is the kind of confrontation we are now facing. There is every reason to be certain that if we take no action and let this dispute run on needless suffering will result.

The legislation we have put before this Assembly will end the work stoppage immediately, provide a time for negotiations to continue, and appoint an arbitrator to draw up a settlement if the negotiation time expires without result. There has been no contract between the Saskatchewan Health-care Association and SGEU since September 30, 1981. The parties did not begin negotiating under February 3, 1982. Since negotiations began there have been 18 negotiating sessions.

An early attempt at conciliation was initiated at the request of the union on August 4. Services were withdrawn on August 11. On Friday, August 13, further conciliation efforts were carried on for 10.5 hours and were then broken off with no date being set for their continuation.

On Tuesday of this week the Minister of Health and the Minister of Labor called a meeting with the bargaining teams of both sides in attendance. They suggested that the dispute be placed by consent before a conciliation tribunal. My colleagues proposed that each party nominate a representative, that there be mutual agreement on a chairman, and that negotiations begin immediately with a final report on settlement within a reasonable time period. This proposal was accepted on Wednesday by SHA and was rejected by SGEU. The rejection of the conciliation proposal struck down the last hope of avoiding a prolonged and, for many people in Saskatchewan, agonizing strike.

The Minister of Health and the Minister of Labor have both monitored the course of negotiations closely. They have worked on behalf of this government to encourage a settlement through collective bargaining channels so that an essential service could be maintained.

Mr. Speaker, before deciding that the Assembly had to be called back and called upon to act, we considered every reasonable alternative. The first alternative was to let the dispute run its course, as we would a dispute not directly jeopardizing public safety or health. This alternative raises two immediate questions: will this dispute come to an end within an acceptable time if no action is taken, and are cancer patients being put at increased risk if the strike continues?

I have already described the course of negotiations and the final breakdown which has caused the recall of the Assembly. The sides are far apart and the government does not see any possibility of an agreement being reached in the foreseeable future. Despite intensive and persistent negotiations, the parties are at least a full six percentage points apart. Neither side is making new proposals and no one sees any movement coming for a very long time.

Is the health of cancer patients endangered by a long strike? Regrettably, but unquestionably, yes. SGEU workers serve two cancer clinics: the Allan Blair Memorial Clinic in Regina and the University Hospital clinic in Saskatoon. The patient load is split approximately 50-50. Treatment is started for at least 40 new patients, for the two clinics combined, every week. Two hundred and fifty patients are treated every day. Of these, 100 to 110 receive radiotherapy; 30 to 45 are treated with chemotherapy; and 85 to 100 visit the clinic each day for post-surgical or other follow-up examinations. As

the employees themselves have said, this is a very heavy daily treatment rate.

Since the strike began over a week ago, a very small number of extreme new cases have been given minimum treatment. The rest must wait. Fourteen of the 44 new cases are scheduled to be transferred out of the province with transportation and living costs to be paid for by the foundation. All are reluctant to leave behind the support of their families and are hesitating a few more hours hoping for a settlement. If there is none, this hesitation will be quickly superseded by the urgent requirement for medical attention.

Chemotherapy patients and review patients are receiving primary medical services at levels similar to those achieved before the strike, but the absence of nursing care is disruptive in the short run and dangerous in the long run. Radiotherapy patients face a crisis. Half of the patients getting treatment before last Wednesday are now receiving no treatment at all. This means that almost 60 people per day have had their radiotherapy discontinued while they still urgently need it. Part of this group receives palliative treatment. For them, the absence of radiotherapy treatment means increased pain. The rest of this group receive curative radiotherapy. For them, the absence of radiotherapy means a significantly compromised chance for recovery. Every possible means is being used to continue treatment of the most critical cases. It remains that the odds against those not now in critical condition lengthen as the strike goes on. By the end of August, without this legislation, over 100 new radiotherapy patients would be waiting for their first treatment for cancer. Hundreds of people would see their radiotherapy treatments disrupted or completely discontinued.

There is no solution in simply asking the remaining staff to work harder and longer. Since the strike began, physicians and physicists have been carrying out the duties of radiotherapy technicians. The efforts of this small dedicated group have prevented the current situation from deteriorating further. But it is only a matter of time, Mr. Speaker, (and not very much more time), until fatigue produces errors in clinical judgment, and even the small proportion of patients still able to receive treatment is put at risk. Both clinic directors have expressed serious doubts about the capacity of the staff to continue at the present pace this past week. In extreme cases, patients can be shipped out of the province. This solution is only superficially acceptable. It would cause a disruption and discontinuity in treatment which would not help patients and it would impose added costs and stress on families already emotionally strained. It would be an abandonment of the responsibility of Saskatchewan to care for its own people in their own hospitals in their own province.

Mr. Speaker, there is no alternative to this bill. No settlement is in sight. It is not an acceptable solution to export critical cases to other provinces for periods which may stretch to many weeks. Remaining staff cannot perform their own functions and those of absent technicians at anything approaching an acceptable level of service and efficiency. The option of leaving the patients without hope between contesting parties is too brutal to be acceptable to this government. Hard bargaining must give way to the higher value of the preservation of health and life.

Mr. Speaker, this bill is similar to part 1 of the bill introduced last March 25 by the previous administration to end the strike of the hospital workers belonging to the Canadian Union of Public Employees. Section 1 contains the short title, The Cancer Foundation (Maintenance of Operations) Act; section 2 is the definitions section; section 3 requires the employees to return to work and the employers to accept them back; section 4 requires the bargaining unit to notify all employees in the unit that the

strike notice is invalid; section 5 prohibits acts which would interfere with the resumption of work; section 6 extends the term of the present bargaining agreement from October 1, 1981, to the date on which the new agreement is reached. Under section 7 work stoppages are prohibited during this extension period.

Section 8 gives the SHA and the SGEU up to eight days after the coming into force of the act to reach a collective agreement. If no agreement is reached by the eighth day both employer and employees must submit to the binding arbitration provisions of the act.

Section 9 appoints the Hon. Mr. Justice C.R. Wimmer, of the Court of Queen's Bench for Saskatchewan, as arbitrator, to make a decision on all the questions involved in this dispute. It also provides that a substitute for Justice Wimmer can be appointed if Justice Wimmer is unable to act, and provides for the payment of his expenses.

Section 10 sets out the arbitration procedure. Within five days of the appointment of the arbitrator the employer and the employees shall give the arbitrator written notice of the questions to be examined. Both sides will have full opportunity to make submissions to the arbitrator and to be represented by counsel.

The arbitrator may examine proposals made by SGEU or SHA before the recall of this Assembly. The arbitrator is given all the powers of a commissioner set out in The Public Inquiries Act.

If the parties to the dispute settle before the arbitrator finishes work, he will cease arbitration. If partial agreement is reached, the arbitrator will confine himself to the outstanding issues. A decision will be issued by the arbitrator one month after the end of arbitration hearings unless the time for preparing the decision is extended by the Lieutenant-Governor in Council.

The arbitrator's decision can be made retroactive in whole or in part to October 1, 1981, the date the former contract ended. Both sides of the arbitration will bear their own costs. Since The Arbitration Act sets out different procedures than those appropriate for this type of situation, it does not apply to arbitration under this act.

Section 11 requires the employer and the union to conclude a new or amended collective bargaining agreement, incorporating the terms and conditions specified by the arbitrator once he reaches his decision.

Section 12 sets out penalties for non-compliance with this legislation by either party. These penalties are the same as those described in The Labor-Management Dispute (Temporary Provisions) Act. Under section 13, the bill comes into force on the day of assent and continues until there is a new collective agreement.

Mr. Speaker, if there were an acceptable alternative to back-to-work legislation we would gladly adopt it. There is none. The health of specific individuals is too directly threatened for anyone to be able to justify another course. We have no right to compound the odds already faced by the victims of cancer. We have no right to multiply by inaction the anxiety faced by the families of victims of cancer.

On Tuesday, Mr. Speaker, the Minister of Health received a telegram which I think should be read to the Assembly. This telegram is similar to many messages received by the government since the strike began. It is from the husband of a woman receiving

cancer treatment and it is as follows:

My wife is a patient in the Saskatoon Cancer Clinic. In light of the seriousness of having cancer, we feel that the added concern over the present strike only adds deeply to the anxiety of ourselves and others. In the spirit of good collective bargaining we realize that government intervention is normally detrimental, even in a strike situation. However, cancer is too sensitive in nature for the parties at odds to each prove their own principles. In the name of compassion for the suffering, we implore both sides to come to reason immediately. This means the government, the SHA and SGEU all work hard to find a solution. Cancer does not wait for negotiation.

And that, Mr. Speaker, is a telegram from Saskatoon.

Before I sit down, Mr. Speaker, I would like to put one additional quote on the record and it is as follows:

It is indeed regrettable, Mr. Speaker, that the Government of Saskatchewan, in my judgment, is placed in a situation where legislation of this nature is necessary. But I would argue this is a situation where there is no other credible alternative. Our object is to ensure that necessary health care services are available to all Saskatchewan residents, especially given, as I see it, no reasonable prospect of a free collective bargaining system bearing fruit in this instance.

Mr. Speaker, that was a quote of the former house leader, Mr. Roy Romanow. It was regrettable that the Assembly was placed in that position last year when Roy Romanow used those words to introduce Bill 45, on which this bill was based. It is regrettable that we are back in this Chamber now. This government cannot accept the continuation of a strike action which so clearly threatens the public good. I don't believe any member here would defend further delay and a longer strike. There is no humane alternative to this bill. I urge all members to pass this legislation quickly and restore full treatment for cancer patients.

MR. SHILLINGTON: — Thank you, Mr. Speaker. Speaking on this debate, I want to begin by commenting on something that I didn't expect to have to and that is the person who introduced the bill. I think we were all expecting the Minister of Health to introduce a piece of legislation which I am certain is assigned to his department. I know that the Minister of Agriculture is responsible for circuses and zoos and perhaps that's what you're trying to turn labor-management relations in this province into. But you're not normally responsible for cancer treatment. It's normally the responsibility of the Minister of Health. I am sure many members are curious as to why the Minister of Agriculture introduced this. If it is because you don't trust the Minister of Health, it is not my view of the Minister of Health. If it is because you don't think he is competent to introduce this, it is not my view of the Minister of Health. It may be that you think he has already done enough damage without introducing this bill. If that is the case, I would agree. In a moment I will be dealing with the activities of the Minister of Health, who, I think, by his approach, has made this session inevitable, and probably has made a settlement impossible. I will get to that in a moment.

This debate and these issues Mr. Speaker, must be seen in the larger context of a Tory government's emerging health care and labor policies. They promised to make

Saskatchewan number one in health care. They are finding, and the public of Saskatchewan is finding, that you can't govern with cheap sloganeering. Their performance is turning out to be far short of this cheap slogan. They preached about co-operation and labor policy. We have a Minister of Labor who seems to have a disdain for meeting and talking to members of organized labor. We have seen none of the co-operation which we heard so much about in the month of April.

Instead, Mr. Speaker, what we have seen is a deliberate and systematic development of policies against working men and women. We have seen a rapid and severe erosion of health-care policy. Let's just look at the record, for a moment, of this government. In three short months, instead of implementing the increase in the minimum wage scheduled for July 1, already announced and widely anticipated, they delayed that increase. Far more insidious, they have suggested introducing a new discriminatory minimum wage system — a system which would discriminate against young people. It is a labor policy which is an attack on those who are the most vulnerable victims of inflation.

They have systematically, Mr. Speaker, removed all labor representatives who have made such a valuable contribution as members of boards of crown corporations. Not a single one remains, Mr. Speaker, and not in a single instance have they replaced them with representatives of Saskatchewan workers.

Although the Tories supported the act which we introduced in March to provide immediate benefit increases for certain workers' compensation claimants, in government they haven't made any moves to reintroduce this legislation. They haven't even mentioned it. I predict they won't. They have not only ignored the improvements to the workers' compensation benefits, but they have fired one-half of the workers' advocates in the department of labor — professional civil servants whose sole job it was to assist the injured workers.

At the same time as they have been piously preaching and promising co-operation with their labor policy, they have arbitrarily fired Mr. Bob Sass, associate deputy minister of labor, who for 10 years was the official responsible for occupational health and safety. I am not here today to dwell on his distinguished record, though his integrity, his ability, and his accomplishments are renowned throughout Canada. I think it is clear, Mr. Speaker, that his achievements on behalf of working people were so well-known to the members of the government opposite that they simply sought to remove this dynamic force from the field of occupational health and safety.

These measures, Mr. Speaker, in three short months are ample evidence to conclude, as people are concluding, that the Tories opposite do have a coherent labor policy. For a change, they do have a policy. It's coherent, it's straightforward; it's anti-labor. And it is against this background that the bill before the House today must be considered. Having failed to make a single improvement in the health care system, having halted many necessary health care initiatives which we introduced, and having systematically developed their anti-labor policy, the Tories have embittered the bargaining process and turned negotiations into the grave situation we have before us.

Here for a moment I want to dwell on the activities of the Minister of Health. He stated in answer to a question by the member for Shaunavon that he had delivered no ultimatum. I have to confess I was not present at, nor invited by the Minister of Health to, any of his meetings. I can only go on what was reported. He was reported as having said to both sides, "Accept a conciliator or I will take some unspecified action." You don't have to be

a master of political double talk to interpret that. What he was clearly saying is: "Accept a conciliator or we are bringing in back-to-work legislation." If the Minister of Health doesn't know, and didn't know, that that made this session inevitable and made a strike impossible, he should resign on the grounds of incompetence. For the Minister of Health to publicly deliver an ultimatum to either settle or face back-to-work legislation, and to say it publicly to the media, made a settlement impossible and made this session inevitable.

In their feeble attempts to be cunning and to score political points they boasted that this bill is a mere copy of the one which was introduced in this House last March. Mr. Speaker, there is one major difference. This bill orders workers back to work, orders an extension to the current collective agreement and the resolution of the dispute, but makes no provision for an immediate increase in wages paid to those workers who are so vital to the care of cancer patients in this province. In their haste to abandon co-operation, to use a bludgeon in this dispute and to appear to the Saskatchewan public to be tough in dealing with labor, in their haste to beat up a group of workers who have no protection and very little public sympathy, they fail to provide for an immediate increase for these workers on their return to work.

I'd remind members opposite that that has been a standard feature in the back-to-work legislation which has been introduced at least over the last decade. I'd remind members opposite that was a feature of the 1975 legislation which ordered SPC workers back to work. It was a standard feature of both bills which sent the dairy workers back to work and was a feature of Bill 45 from last March which members opposite, I may add, voted in favor of, and from which they did not dissent in committee of the whole, and of which I therefore assume they approved. It is not part of this. I shall therefore be proposing an amendment to section 6 of this bill in committee of the whole to remedy what I hope is only an oversight.

I may say, Mr. Speaker, that members of this side of the House are not going to be opposing this bill in second reading. I think there are essentially two reasons for that. One is, as I say, that the Minister of Health, by his awkward attempts to appear to be a worrier on behalf of the Saskatchewan people, by those awkward attempts to settle this, has made the settlement impossible.

Much more fundamentally, members in the opposition are simply not in a position to know whether or not there is a genuine emergency or whether or not people are genuinely in danger. I think we are just not in a position to know. Members opposite and the minister say that there is a danger to life and limb. We are really not in a position to know that that isn't true. We would therefore not be opposing it on second reading.

I say to the members opposite that what we do in third reading (and indeed I suppose one ought to give leave to continue today) depends on how you react to our amendment to section 6. We think it's fair and reasonable and a standard part of these bills, and we hope it's only an oversight.

In concluding my remarks, Mr. Speaker, I acknowledge that, with a heavy heart, I watched the government opposite mishandle the situation, producing unnecessary anxiety in cancer patients and their families, and an understandable bitterness among workers. Back-to-work legislation is one of the most fundamentally dangerous measures that can be undertaken by any government, for it severely reduces one of the most basic rights in a free and democratic society — the right of workers to organize in their own associations or trade unions, and to take responsible collective action.

There are times, to be sure, when that right must be balanced against the rights of the whole society, in the interest of preserving a truly democratic society in which all members are free. In such cases, where genuine emergency to life and limb exists, consideration of the narrow, specific and limited back-to-work legislation may be appropriate. However, Mr. Speaker, I say categorically, never will the members of the New Democratic Party in this legislature permit a sly and sinister Tory party, with a full-scale and blatant anti-labor policy like that of the government opposite, to turn a temporary, specific act such as this into a blanket elimination of the right to bargain and the right to strike by those in the public sector.

Every member of the Assembly knows well that it was immediately following the 1944 election that the CCF government of Tommy Douglas extended full and free collective bargaining to all Saskatchewan workers, and specifically to those in the public sector. Is this the beginning of the erosion of that right of public servants? We hope not, and I make no such prediction that it is.

In concluding, I will make a prediction. I'll predict the anti-labor measures which we have seen in the first three months of the Devine government have set it down the slippery slope toward an all-out attack on collective bargaining, trade unions, and working people in Saskatchewan. We have the comment of the Minister of Labor that it is considering right-to-work legislation. I further predict, Mr. Speaker, that this attack will be resisted and fought by the NDP and by the workers of this province through their own organizations.

Finally, my last prediction, and the one of which I'm the most certain, is that the working people of Saskatchewan will eventually and completely win in their struggle with the Devine forces of anti-labor reaction of the members opposite.

SOME HON. MEMBERS: Hear, hear!

MR. LINGENFELTER: — Mr. Speaker, I rise to take part in second reading of Bill 38 with a great deal of disappointment and regret. I think that the reason we have been called back here today causes a great deal of disappointment to all members on this side of the House and, I am sure, to many people in the government as well. We are here today to legislate back to work 85 workers of the cancer commission who have been doing a good job of supplying services to people in Saskatchewan who have cancer, who are suffering from that dreaded disease. But because of the fact of lack of funding in the area of cancer treatment in terms of the cancer foundation in Saskatchewan, because of the fact that the budget which was introduced in March has not been acted on by the government, and the fact that the 18 per cent increase has not been forthcoming, we now find that we are in a position where, because of lack of funding, we are facing a strike and hence back-to-work legislation being introduced by the government of the day.

I would like for a moment just to do some analysis on what kind of money we're talking about Mr. Speaker, in terms of legislating these people back to work. I mentioned that there are 85 people involved and we're talking about a spread of a 6 per cent increase which, in my mind, means about \$1,800 per year per individual or, for 85 people, about \$153,000. We have today called back the legislature in Saskatchewan to legislate a group of 85 people (I think they are being made whipping boys of the labor movement) back to work because the government was unable to come up with \$153,000. I don't

know what it's costing to bring the group of people here today. I don't know how many aircraft were flying around bringing people in to Regina to legislate these people back to work, but I say that for \$153,000 each member should have taken a pay cut of \$2,000, divvied it up, given it to the workers and settled it that way, rather than the ridiculous thing we're doing here today.

I think that the type of legislation we are seeing here today, without any back pay being offered, without compensation for that time period when they have been without a contract, makes the bill even more ridiculous in its present form and therefore necessitates the amendment that we will be proposing later. I think there is a reason also why that amendment hasn't been included in the original bill. I think there is a first ministers' conference coming up sometime in the near future to which our Premier will be going, and there's just a chance that this settlement will not be brought about before a commitment is made at that meeting to the imposition of 6 and 5 per cent wage restraints in the province of Saskatchewan. We will watch with a great deal of interest whether or not, in fact, this comes into reality. But I can see no other reason, and members on this side can find no other reason why there wasn't an inclusion in section 6 of some sort of compensation for the fact that these people were being legislated back to work.

I think it's disappointing for another reason, Mr. Speaker. We, on this side, have been waiting with a great deal of anticipation for some indication of how the Minister of Health is going to make Saskatchewan number one, as he promised during the election campaign. It was our view, of course, that Saskatchewan was already number one. It was the opposition's opinion, at that time, that it wasn't number one. And so we are waiting to see, with a great deal of interest, some of the actions of the new government, to see what it is going to do to improve the health care in the province of Saskatchewan.

I think a very logical step at this point would have been to introduce a budget whereby the cancer commission would have received the money to carry on in this year, thereby avoiding the strike and therefore avoiding the back-to-work legislation.

I think we also anticipated that we would enjoy an announcement of the opening of some hospitals in Saskatchewan as well as nursing home construction, a package which was promised in the last session. We have heard nothing of such openings.

Instead, we find that because of the lack of money (we are told by this government of \$153,000), we call the session back to legislate these people back to work. I think, if the government were serious, that there are several areas where this money could have come from. I think it also shows which ministers, at present, are able to garner money from the Minister of Finance. I noticed the election promise of the Minister of Mineral Resources to give millions of dollars back to the oil companies took only a few weeks to bring in and to be set in place — not hundreds of thousands of dollars, but millions of dollars. On the other hand, the Minister of Health is unable to get \$153,000 to settle a major labor dispute.

A more terrible thing about this whole thing is that the Minister of Health and the new government under the Devine control are attempting to blame this strike on the workers and trying to avoid any of the responsibility in terms of health care funding.

Other indications of what is happening in health go back to June when the Minister of Health met in Saskatoon with the administrators of hospitals and told them in no uncertain terms that belt tightening and balanced budgets were the order of the day.

This led, in the next few weeks, to announcements in Regina that bed closures would occur, that the waiting time for elective surgery would increase, and that the waiting lists would increase and increase and increase. People who needed open heart surgery, people who needed many types of operations, were being told to wait by the Minister of Health. Now, all of a sudden, because the Minister of Health and the Premier are well-aware of the politics of cancer, they have come in and are playing politics with one of the most serious of diseases that the world knows.

I find it repugnant that we are now coming into this session to deal with this strike in this manner in order that the new Conservative government can play politics for \$153,000, or the lack of it. But it is not surprising, Mr. Speaker, and we only need to go back a few short months to speeches made in this House by the then opposition critic for health, the member for . . . I am not sure where he is the member for anymore, but I believe it is somewhere out in the Broadview area. He made statements about the underfunding of health at a time when the government of the day introduced budgets which included 18 per cent increases in health. At that time he was saying things like, "Health is underfunded. We will do much better than 18 per cent, 20 per cent or whatever the proposal was." Today we find that no money has been divvied up by the new government in the four months since it has taken office.

Going back a little further than that, it's even less surprising, after we find a comment made when a certain group of labor people were fired in the United States — the air traffic controllers. The Minister of Health, at that time, sent a newsletter to his constituents saying that what we need in Saskatchewan is tough action in a time of economic restraint. If the labor movement is listening, and listening very closely, it is finding that those comments by the Minister of Health and the Minister of Mineral Resources are indeed coming true in Saskatchewan at the present time. We are looking at restraint in terms of the salaries of workers we are legislating back to work for a mere \$153,000, but at the same time we are able to find millions of dollars to give to the oil companies which, I believe, are drilling fewer wells this summer than they did last summer. In fact, the footage in my corner of the province is about half what it was last year at this time, even though through royalty structures the millions of dollars they have given to them have been divvied up. But the money that is needed in the area of health care is not forthcoming.

I do not want to prolong the debate in second reading because many of our comments will be made during committee of the whole when our amendment is brought in. I would just like to say in closing that the members on this side will be supporting this bill in second reading, but only on the condition and the understanding that we will be able to move our amendment which will allow for some back pay so that these workers aren't the first in Saskatchewan to be hit by the new (which we believe to be the result of the first ministers' conference) 6/5 wage restraints being brought in Saskatchewan.

MR. KOSKIE: — Mr. Speaker, I would like to make a few comments with respect to the introduction of this piece of legislation. I, too, am somewhat astounded that we are introducing a piece of legislation here to legislate health workers back to work. I'm amazed that the Minister of Labour has taken no active part in attempting to resolve this dispute. I am further amazed that although we sit here and want to hear the remarks of the Minister of Health, he remains pinned to his seat as the Minister of Agriculture makes the comments relative to the bill. I want to say that during third reading, we are hopeful at least that the Minister of Health will make himself available to the members here so that some answers can be obtained.

All of us here view health care as a high priority. Our government had a reputation for providing the soundest and the most innovative health programs anywhere in North America. I want to say the record of our party stands high with the people of this province. Any decision that we make in supporting health care will be received with confidence by the public because of our record.

I want to say that here we have a situation, after a few short months of a Tory government assuming office, where we see a Minister of Labor in particular turn the collective bargaining process into a deadlock and the embittered impasse facing us today.

Mr. Speaker, I want to say that it has been that government's policies, its actions and its inaction, which have aggravated this situation. It has been the emergence of systematic anti-labor policies which has sharpened the embitterment between the parties. I want to say that if we look at the situation of this new Tory government today, we will find an anti-labor element emerging. It refused to grant to the lowest paid citizens of our country an increase in the minimum wage which was proposed for July 1.

What the minister is currently doing is holding hearings with respect to wage differential, in order to discriminate against first-time employees. He is also toying in the press with the idea of introducing permanent essential services legislation. We can expect that. Why shouldn't we expect a Tory government to be essentially anti-labor? The record of Tory governments has, throughout time, been anti-labor. If you look at the situation in British Columbia, with a Tory government or a Tory supported government, we find more labor disputes than anywhere else in Canada.

I want to say that while we were in government, the loss of time due to strikes in Saskatchewan was lower per worker than anywhere else in Canada. That was the record of labor, co-operation and the collective bargaining process that we were able to engender in this province. Not so today!

Many of us will recall, Mr. Speaker, where some of the members opposite stood in the past, when they were in opposition, urging the Minister of Labor to become involved in the dispute, whether it was a dairy dispute, whether it was a health dispute. As recently as last spring, the screams from across this side and from the opposition at that time were to get involved, to seek a solution. Today in this House we heard the Minister of Labor say, "I am not involved at all. I sat in on a little 25-minute meeting with the Minister of Health and the parties. What am I? That is a health matter." How quickly their attitudes have changed from the time when the Hon. Gordon Snyder was minister.

Mr. Speaker, the record of labor negotiations in the past was high. By contrast, let us look at the attitudes and the performance of this government. Where has the Minister of Labor been in these negotiations? Where has he been? As he said today, he is not involved. Was he too busy because he had to fire the president of Sask Power or the president of the Saskatchewan Potash Corporation? Surely, all members in this House will agree, Mr. Speaker, that the Minister of Labor must assume the responsibility of attempting to resolve a potential labor strike. On his own evidence today, he has done nothing.

Mr. Speaker, I think we can go further and look at the direction of this government with some considerable concern as to priorities or, indeed, lack of priorities. I want to say that the Tory government opposite, in its three short months, has failed to make any step toward improving health care. I want to say that it has virtually frozen the

programs, the construction, and any additional funding to the health system.

They have done more. They have already begun to destroy the social and economic programs in northern Saskatchewan. I want to say that they have failed to take a single step toward the labor policy of co-operation which they were preaching about. They have concentrated so obsessively on the Premier's witch hunt in the civil service and their anti-labor policies that they have dragged the bargaining between the SHA and the SGEU into the serious situation which we face today.

I want to say that why we are here is not because of the strike. We are here because of the inactivity of that government to resolve or to work toward the resolving of that strike. I want to say that they have failed miserably to alleviate the situation to get the sides together, and to consider, as my colleague indicated, the small cost of going another step in the direction of the solution of the problem. Something like \$153,000 would have apparently settled the strike. I want to say, from my information, that the nurses in the cancer clinics are being paid less than the nurses in other health institutions. If that is a fact (and I am going to be asking the Minister of Health), then I think this strike has been precipitated by the inactivity and the lack of support for our health care system by the Tory party and the Tory government.

Mr. Speaker, I want to say that this legislation is said to be the same as the legislation last spring. In reviewing it, it is essentially the same legislation. I hear reports that the Premier says that this is quite different, that he was against what took place last spring. Obviously his party wasn't. Well, the Premier was not in the House at that time. It would be interesting to hear the Premier elucidate on his philosophy. He was talking about a new industrial strategy which he is going to announce apparently in Halifax, not here in Saskatchewan. I would like to have him enunciate his philosophy with respect to labor relations and labor management.

Mr. Speaker, across this province there is a new realization that, first of all, health care is not a high priority of Tory governments, and that the government is anti-union and will approach any labor dispute from that philosophy.

And certainly I want to say in closing, Mr. Speaker, while we on this side will be supporting the legislation in protection of the cancer patients — which is a priority of our party and always has been — the public should be made aware that this government has failed in its efforts to try to bring about a settlement, and instead has flaunted before the people of this province a back-to-work, anti-labor policy, thinking that it's politically the thing to do. But in supporting the legislation, we have, as we have indicated, noted that there is no similar provision for providing some interim funding to the workers, pending the binding arbitration.

We will be moving an amendment in that regard, and surely, if in fact you are not anti-union, you will support that amendment.

SOME HON. MEMBERS: Hear, hear!

HON. MR. BERNTSON: — Mr. Speaker, I just want to touch on a few points raised by the members opposite.

The member for Regina Centre, who I am sorry isn't in his seat now, made some reference to a perceived, or should I say his perceived lack of confidence in our

Minister of Health. I would like clearly to put it on the record that not only this government, but the province of Saskatchewan, has far more confidence in this Minister of Health than in the previous minister of health, and I think that has been amply demonstrated from the day that this government took office.

I would compare Graham Taylor of Indian Head-Wolseley to Herman Rolfes of Saskatoon, by any measure, any day.

The other point that the members opposite raise, Mr. Speaker, is this government's reluctance to throw cash on the table. You see, they don't seem to understand, Mr. Speaker, that the free collective bargaining process is conducted between the employer and the employee, and for the government to simply throw cash on the table and say, "Settle it, boys," seems to me to be a serious intervention into the free collective bargaining process, and one that we reject, Mr. Speaker.

I'm surprised that the member for Regina Centre noticed that this legislation was somewhat different from the legislation brought down by his government last spring. As I was sitting here thinking about it, I remembered that yesterday, when I gave an advance copy to the House Leader opposite, I pointed out to him that that was the only essential difference. We viewed that interim compensation, first as a distortion of ground zero (so to speak) for the arbitrator, and second, we viewed that particular section in last spring's legislation as a mechanism to cool some of the political heat that they were experiencing or suffering prior to going into an election.

The other point I want to cover, Mr. Speaker, is that the members opposite, or most of them, question whether or not a real emergency exists. Mr. Speaker, for the benefit of the members opposite, I am just going to put it on the record that the strike by the cancer foundation workers is now in its 10th day. Conciliation efforts have failed and no other avenues appear to be available to end this dispute. The personal intervention of the Minister of Health and the Minister of Labor was not successful. Despite intensive and persistent negotiations, the parties are at least a full 6 percentage points apart. Neither side is making new proposals and there is no suggestion of compromise. Each day of the strike further endangers the health of cancer patients.

Since the strike began over a week ago, a very small number of extreme cases have been given minimum treatment. The remainder, Mr. Speaker, must wait. Fourteen of the 44 new cases are currently scheduled to be transferred out of the province. I am advised that by Monday that number will grow significantly.

There is a limit to how many patients will be accepted by the out-of-province clinics, and it will not be long before the out-of-province clinics will be unable to accept additional referrals. In addition, we simply cannot overlook the physical and emotional trauma of these patients as a result of referring them to out-of-province clinics where they will not have the support of their families and friends.

Half of the radial therapy patients receiving treatment before last Wednesday are not receiving treatment at the moment. This means that almost 60 people per day have had their radial therapy discontinued while they still urgently require it. Patients receiving curative radial therapy have significantly compromised chances of recovering in the absence of the treatment they need.

By the end of August, Mr. Speaker, without a return to work over 100 new patients would be waiting for their first treatment for cancer. Five hundred people, Mr. Speaker,

would have seen their radiotherapy treatment disrupted or completely discontinued.

With respect to the provisions of essential services by the union, it has in fact provided staff to treat a few cases on an emergency basis. However, I am advised it has refused to treat 10 new patients that were classified as urgent by the medical staff. Since the strike began, physicians and physicists have been carrying out the duties of the radiotherapy technicians and nurses. However, the directors of both clinics have stated it will be difficult for the staff to continue past this week. Thus, Mr. Speaker, we do view this situation as an emergency. And in keeping with past practices of this type of legislation, we decided that the House Leader would carry this legislation. We don't view this, Mr. Speaker, as an arena for clowns and circuses, as the member for Regina Centre has indicated. He makes light of this very situation, Mr. Speaker, and we find that particularly repulsive. It is a very, very urgent situation, Mr. Speaker. That's why we are here today to deal with this legislation, and if members opposite in any way unduly delay — and I'm not saying you won't be afforded every opportunity to debate it as long as you wish — the passage of this legislation, you will do so not only at your own peril but unfortunately at the peril of up to 500 cancer patients out there in Saskatchewan. I therefore move second reading of this bill.

Motion agreed to on the following recorded division, bill read a second time and by leave of the Assembly referred to a committee of the whole later this day.

YEAS — 55

Devine	Muller	Birkbeck
Taylor	Andrew	Berntson
Lane	Rousseau	Thatcher
Muirhead	Sandberg	Hardy
McLeod	McLaren	Garner
Klein	Martens	Currie
Duncan	Smith (Swift Current)	Boutin
Hampton	Weiman	Bacon
Tusa	Sutor	Sveinson
Sauder	Petersen	Glauser
Meagher	Schmidt	Parker
Smith (Moose Jaw South)	Hopfner	Rybchuk
Caswell	Young	Gerich
Maxwell	Embury	Dirks
Hepworth	Folk	Myers
Zazelenchuk	Johnson	Baker
Koskie	Engel	Lingenfelter
Hammersmith	Lusney	Shillington
Yew		

NAYS — 0

MOTION

Hours of Sittings

HON. MR. BERNTSON: — Mr. Speaker, I ask leave now to put a motion on the floor. This motion, Mr. Speaker, is not a total surprise to the members opposite. I had intended to consult with the House Leader opposite while they were out in the backroom consulting, but that was a little difficult. It is to afford the opportunity for full debate here this afternoon and at the same time facilitate staff and members and staff in the cafeteria so that we can break for lunch and sit again this afternoon.

I therefore ask leave to move, seconded by the Minister of Finance:

That on Friday, August 20, 1982, rule 3(3) be suspended so that the sitting of the Assembly may be continued from 1 p.m. until 10 p.m. and that there shall be a recess from 1 p.m. until 2 p.m. and from 5 p.m. until 7 p.m.;

And notwithstanding rule 3(4), on Saturday, August 21, 1982, this Assembly shall meet at 10 a.m. until 10 p.m., and there shall be a recess from 12:30 p.m. until 2 p.m. and from 5 p.m. until 7 p.m., and that the order of business shall be the same as on Friday.

Motion agreed to.

COMMITTEE OF THE WHOLE

Bill No. 38 — An Act respecting the Maintenance of Operations of the Saskatchewan Cancer Foundation

Clause 1

HON. MR. BERNTSON: — Mr. Chairman, let me introduce the officials here today. On my right is Ron Hewitt from the Attorney General's office and on my left is Ken Fyke, deputy minister of health.

I have just a couple of opening remarks. Almost everything that can be said has been said. There is one small House amendment that we will be moving when we get down, I believe to section 11. It is simply to kill the legislation, so to speak, if a settlement is reached during the eight-day period. The lawyers deem it to be technically advisable, so who are we to quarrel?

MR. SHILLINGTON: — Mr. Chairman, I assume we are going to follow the usual practice of having a series of general questions under clause 1 rather than trying to feather them into the appropriate clause . . . (inaudible interjection) . . . That's the soul of co-operation. Too bad the members opposite couldn't have exhibited some of that in dealing with the trade union movement.

I want to begin by asking the minister what the positions of the respective sides of the dispute were at the time that this legislature was called into session? As of Wednesday, what offers did the respective sides have on the table?

HON. MR. BERNTSON: — Mr. Chairman, I wasn't at the table. I don't intend ever to be at the table. My information is that they were a full 6 percentage points apart and there was no sign of compromise from either side — thus, a recall of the legislature to deal with what seemed to be an inflexible situation.

MR. SHILLINGTON: — Was the government informed what the offers of the SHA were to the SGEU?

HON. MR. BERNTSON: — Well, I have no knowledge of any communication between SHA, SGEU and the government except at the request of the Minister of Health and the Minister of Labor. They were asked to come in and accept a conciliation tribunal (if that's the right word). At the time, it was viewed by all parties and reported in the press as being a positive step in a difficult situation. Unfortunately, the efforts failed.

As it relates to what may or may not have been on the table and what may or may not have been the demands, I don't think it is within the jurisdiction of this House to get into it. That's done through free collective bargaining between the SHA and the SGEU.

MR. SHILLINGTON: — Yes, but I say to the minister opposite, you are asking us to vote on a bill which was predicated on the assumption that no settlement was possible. You are asking us to vote on that. You have a responsibility to supply is with the information upon which you made that judgment. I said earlier that members of this caucus are really not in a position to make a judgment about the merits of this thing. We don't have that information.

You say you have no knowledge of the position of the SGEU and the SHA. Were any of the officials of the Department of Health informed by the SGEU or the SHA of what their positions were, and if so, what were there positions at the time that this thing broke down?

HON. MR. BERNTSON: — It is my understanding, Mr. Chairman, that they were a full 6 percentage points apart, at whatever level on the spectrum that might have been. There was no indication of movement by either side, and in fact, the opposite is true. It was apparent that both sides had dug in. With that inflexibility, and with the potential of 500 cancer patients seriously in jeopardy by the end of August, it was decided that we should call the legislature back to deal with this serious situation.

MR. SHILLINGTON: — I wasn't for the moment, asking the minister for his motives in calling the legislature back into session. I'll get to that in a moment. I ask the minister whether or not any of the officials of the Department of Health were informed by the SGEU, or the SHA, as to what offers they had made. I know they are 6 per cent apart, but was that an offer of 1 per cent versus an offer 7 per cent, an offer of 24 per cent versus an offer of 30 per cent? I ask what the offers were, not how far apart they were.

HON. MR. BERNTSON: — Well, Mr. Speaker, I understand that in the Department of Health there is an official who monitors these sorts of things, however we feel it is inadvisable to inject ourselves into the free collective bargaining process in that way. There is an experienced government conciliator, Mr. Sig Walter, who met with them last Monday, I believe, or last Friday (a week ago) for about 10.5 hours. The result was no change of position by either party. They had both dug in; there was no hope for a resolution to the dispute. That's what brings us here today.

MR. SHILLINGTON: — I'm having a very difficult time making myself understood. I'm not asking why we were brought back here today. I'm going to get to that. At the moment, I'm trying, as I have said, to get the information upon which you made the judgment that we were to come back here today.

Frankly, I don't believe, Mr. Minister, that your officials and you don't know what the respective parties were offering each other. I have spent five years on the Executive Council and I know what the process is. I just don't believe that your department wasn't aware of what the offers were. I don't understand the reason for that information not to be made public. There is nothing in your bill (I want to remind the minister), as there was in the bill in March, which prohibits the parties from introducing into the arbitration process the offers of the other side. That's a fundamental change from the bill in March. I want to get to that in a moment, too, because I'm not sure that was wise. But in any event, that isn't in there. The parties are free to take to the arbitration process the offer of the other side. So I just don't understand why you are stonewalling. I don't understand why you won't give us the information.

If you say you don't have it, and no official of your department has it, I will accept that, although only because the rules of the House oblige me to. If you say that you don't want to provide it, then I want to know why. But I want to know what the offers were, because they can be introduced into the arbitration process by your own legislation.

HON. MR. BERNTSON: — It seems to me that you are asking two questions. The first one is: why are we here? The second one is: what was the offer and what was the demand? We are here because an experienced government conciliator, after ten and one-half hours in a room with both parties, said there was no movement. They were at an impasse. Something had to be done. In addition to that, the directors of the clinics have indicated to us that an urgent situation exists. That is why we are here.

Your second question was: what was offered and what was the demand? Under the legislation, as the learned member would know, the arbitrator may, in his discretion, hear evidence and consider the proposals of either party. This is under section 10(3). To state what the positions were might interfere with the decisions of an arbitrator.

MR. SHILLINGTON: — The logic escapes me entirely. If you had had in that legislation the section which was in the March legislation — let's call it Bill 45 — which said that the arbitrator can't consider the offers made to either side, I could understand your reticence to answer the question. But this legislation says that the arbitrator can consider, and inevitably he's going to. Inevitably both sides are going to be trotting out the offer of the other. It's as inevitable as the rising sun. I ask the minister again: why won't you provide me with the information which we all know you have?

HON. MR. BERNTSON: — It's my understanding that the arbitrator who dealt with the matter on Bill 45 suggested that that particular section be dealt with in that way. For us to in any way suggest what may have been on the table or what may have been demanded could be subject to errors in interpretation, and could jeopardize the decision of the arbitrator. For that reason, we don't intend to get into that.

MR. SHILLINGTON: — I'll leave the matter in a moment. Are you saying that you don't have accurate information as to what each side offered the other, and that's why you don't want to provide it — because it may not be accurate?

HON. MR. BERNTSON: — I don't know how accurate or inaccurate it might be. I'm

saying that we may, in fact, err in interpretation. Some folks do, you know.

MR. KOSKIE: — I just want to follow up on my colleague's question. You asked us to come back to this legislature to support legislation to legislate cancer workers back to work. Are you saying that you are not going to provide us with the last proposals that were on the table?

HON. MR. BERNTSON: — I'm saying that we asked you to come back to legislate cancer workers back to work in the interests of the health and safety of the cancer patients of Saskatchewan. The question that you asked me now, as I understand it, would ask me to go against the existing legislation I just read out to you under section 10(3), and could jeopardize or prejudice the activities of the arbitrator.

MR. KOSKIE: — The government had one of its employees, a conciliator, negotiating with the parties. You can't tell me that the conciliator did not give a report to the Department of Health or to the cabinet. Surely you have information as to the position of the relative parties. Still you are trying to indicate to my colleague that you don't have information. Let's hear the facts.

HON. MR. BERNTSON: — I guess what I am saying is that whether we have or we haven't, we can't give you the information because it says here under the legislation: "The arbitrator may, in his discretion, hear evidence and consider the proposals of either party."

This is under section 10(3). To state what the positions were, or might have been, or our interpretation, or someone else's interpretation, or anyone's interpretation, could in fact interfere with the discretion of the arbitrator. We are, therefore, not prepared to set that out at this time.

MR. SHILLINGTON: — I'm not trying to be insulting to the minister or his officials, but the clear effect of the section you just read is that that information is not confidential. The parties may take it before the arbitrator. He may refuse to consider it, but they have every right to take it before the arbitrator and ask him to consider it. Yet that is information you won't give us, and you are asking us to send them back to work . . . (inaudible interjection) . . . Well, I haven't left the subject but let me . . . Surely, Mr. Minister, you have the information. You just don't want to provide it. Surely you have it and you are satisfied it's accurate. You are not going to tell me that you are so incompetent as to ask this House to come back and meet and order these people back to work without knowing what the respective positions were. You are not going to tell me that you are that incompetent. I don't believe it. I can believe a good deal that is said about your incompetence but that goes beyond me. I just can't believe you didn't have accurate information.

HON. MR. BERNTSON: — I guess what I am telling the minister is that what we did was ask this legislature to reconvene to legislate the cancer workers back to work, to deal with what I'm sure all of us in this House have considered to be a very serious and urgent situation. Dr. Klaassen for instance, director of the Saskatoon clinic, says:

We are faced with a deterioration of patient care, and there is no question a number of patients would have been affected.

I don't know how to get it across to the member opposite. If you think that the information is not confidential, and if you think that it won't hurt the process of the

arbitrator, and if you think that it is easily accessible, why don't you send your colleague, the member for Prince Albert-Duck Lake, or whoever — pick one — out to phone management and phone the union. You can come in and put it on the table if you like, I'm not prepared to.

MR. SHILLINGTON: — This is committee of the whole. You as a minister of the crown, are under an obligation to provide us with information upon which we can make a decision as to whether or not to vote in favor of this legislation. You don't seem to understand the process. This is our opportunity to ask you on the basis of what information you made your decision. I want to know what the respective positions of the parties are.

Let me try to approach this in a different manner. Would you tell us how much more it would have cost SHA to accede to the demands of the union? Can you tell me that? I'm sure your officials have that information.

HON. MR. BERNTSON: — Well, Mr. Chairman, I want to draw the member back on to track as to why we are here today. You see, we are not legislating a settlement. First, we are legislating the cancer workers back to work. Second, we are legislating a process to achieve settlement. We are not legislating a settlement. The prime reason for our being here today is to get the cancer workers back to work to deal with the health and safety of up to 500 cancer patients by the end of this month.

MR. KOSKIE: — Is it true then that the policy of the government is not to look at the process that has gone on at all, not to examine whether or not a proper and real attempt has been made for a settlement? Is that the position that you are putting forward? Are you saying that regardless of one party's being totally irresponsible (I'm not saying either one is in this case, but let us assume that you have one party which is totally irresponsible, making no efforts to bring forth a settlement) all you look at is that there's no settlement, there's an emergency and send them back to work?

HON. MR. BERNTSON: — Well, first, Mr. Chairman, there is a health crisis. Second, negotiations have gone on for 10 months. Third, there has been an experienced government arbitrator, one Mr. Sig Walter, involved for some 10.5 hours last Friday. Are you telling me now that you have no confidence in that experienced government arbitrator, Mr. Sig Walter? He couldn't bring them together. They couldn't get together through negotiations. We are not prepared to intervene in a free collective bargaining process. We are desperately concerned about the health crisis.

MR. KOSKIE: — The minister has indicated how thorough the process has been. Surely he can assure the opposition as to the respective positions at the time of the breakdown, that is, the issues that had to be resolved, the union position as to demands, and the offer of SHA.

HON. MR. BERNTSON: — Mr. Chairman, the arbitrator will surely be taking a look at that. My information now is that they are a full 6 percentage points apart and there has been no movement, there is none likely, and that's what brings us here today.

MR. KOSKIE: — The 6 per cent difference between them, what does that amount to in a total cash package?

HON. MR. BERNTSON: — Mr. Chairman, I take you back again to the fact that we are not

legislating a settlement. We are legislating a process to come to a settlement, and whatever the arbitrator decides this government will stand the full cost of that settlement — whatever the arbitrator decides.

MR. SHILLINGTON: — Well, I want to get to the last comment in a moment. I wasn't aware that all of the money for health came from the provincial government. The minister just said you are going to stand the full cost of the increase. I wasn't aware that all of the money in the health system came from the provincial government. I'm going to get to that in a moment.

I want to say to the hon. member that John Diefenbaker has been dead a long time. You people are starting out like federal Liberals in your contempt for the House. You are sure not carrying on the traditions of one who loved and respected the House of Commons like Mr. Diefenbaker did; you are stonewalling us on information that I think we have the right to have. We have the right to know whether or not the difference was \$5,000, \$10,000. We have the right to know whether or not these parties were being reasonable, whether the SGEU was being totally unreasonable, whether the SHA was being totally unreasonable. I'm not suggesting that either one of them were. We have the right to know that. Unless there was something strange in the coffee in the cabinet room, that must have been one of the factors you people took into consideration when you decided to call this House back to work. One side or the other was being unreasonable. That is the information upon which you made that decision, so I ask the minister again: if you are going to stonewall us on the settlement, then at least tell us how much it would have cost. Will you tell us whether or not it will cost more than these proceedings in the House are costing? Give us a comparison.

HON. MR. BERNTSON: — The member opposite made some utterance earlier in his remarks that he didn't know that the Department of Health funded the foundation. The foundation has been totally funded by the Department of Health since day one. I want that to be set clear.

Secondly, I just want to point out one more time that the legislation does not legislate a settlement. For whatever reason the employer decided not to meet the demands of the union. The union for whatever reason has decided not to accept the offer of the employer. The arbitrator will therefore take a look at both sides of the question and make his determination. When that is set out, the Department of Health will stand the full cost of the settlement, whatever that might be.

MR. SHILLINGTON: — Surely, the minister is drawing a red herring into this discussion by referring to the arbitrator. The arbitrator is given a free rein. As I read that legislation, he is given a free rein as to whether or not he wishes to take into consideration the respective positions of the parties. That is a fundamental change from previous bills. Surely, we have a right to know why you are asking us to pass the legislation. I don't think that is too much to ask. That is all we are asking: why do you want us to pass it? Is it because you thought they were unreasonable? Because you can't afford it? Does it violate a 6 per cent and 5 per cent guideline? Does it violate the guidelines, of which I hear but have no written information, that were announced this morning by the Premier — a guideline apparently of 1 per cent below the inflation rate, whatever that may mean? Does it violate that? Is that why we are here? We have a right to know. I say to the minister that we have a right to know the reasons you are asking us to pass this. That is all we want.

Nobody in this caucus is attempting to suggest any of the factors that the arbitrators

should take into consideration. I know Mr. Justice Wimmer and if any of us were to attempt that, it would simply have no effect. He is far too experienced a judge for that. He will make up his own mind. The minister opposite doesn't need to worry about him being influenced by extraneous considerations. He is not likely to do that. He is too good and too experienced a judge to do that. As I say, there is simply no substance to what you are suggesting, that answering this question would prejudice him. The legislation clearly protects him. He is more than able to read that legislation. So I ask you again: what were the positions of the parties?

HON. MR. BERNTSON: — Well, Mr. Speaker, again he asks the question as to why we are here. We are here because there is a health crisis, number one. If the member doesn't like the legislation the way it is, if he wants to bring in an amendment that would deny the arbitrator the same access to information that this legislation does, I invite him to bring it in. This legislation is written in this way at the suggestion of the arbitrator that handled the Bill 45 situation. If you want to bring in the amendment to narrow that down, bring it in. We will deal with and even support you if that is what you want.

MR. SHILLINGTON: — Strenuously, and I guess with some ability, you are avoiding the question. I don't, for the moment, want to hear you beating your breast about how vigorously you are protecting the health of cancer patients in Saskatchewan. I don't, for the moment, want to hear (although I am going to get to that) your motives in allowing the arbitrator to consider offers. What I want to know is: what are the positions of the parties? Did you view those positions as being reasonable or unreasonable when you decided to call this House back into session?

HON. MR. BERNTSON: — I didn't make the determination, Mr. Chairman, as to whether they were reasonable or unreasonable. I made a determination, along with my colleagues in the cabinet, that there was a serious health crisis going on in Saskatchewan. For that reason, this legislation had to be brought in to resolve that serious health crisis, to get the cancer workers back to work, to deal, Mr. Speaker, with the health and safety of up to 500 cancer patients in Saskatchewan by the end of August.

MR. SHILLINGTON: — Is the minister saying that he is prepared to call this House back into session every time the SHA tells him that there is a health crisis in the province?

HON. MR. BERNTSON: — Mr. Chairman, I want to make it clear that SHA didn't tell me there was a health crisis in the province. There were several cancer patients who indicated to me that they were less than comfortable. There were the directors of the clinics who indicated there was a health crisis. Yes, Mr. Speaker, I am prepared to call this House in any time the health and safety of the people of Saskatchewan is in jeopardy.

SOME HON. MEMBERS: Hear, hear!

MR. KOSKIE: — I agree with what the minister indicated in his last comment — that he is prepared to call it in when health care is in jeopardy. That's fair enough. But certainly part of looking at that situation is a knowledge of the reasonableness of the positions of the two parties which precipitated it. I am saying here that we should have knowledge with respect to the offers — not to delay passage of the bill to protect the patients, but to expose the inadequacies of the process. I think it is incumbent that if the government has that information the opposition should have that information. I ask for it again.

HON. MR. BERNTSON: — Mr. Chairman, if the member opposite is telling us that there

are inadequacies in the free collective bargaining process, I guess we have to confess that in this particular instance, there are, because they couldn't come together. As it relates to the unreasonableness or reasonableness of the negotiating parties, that determination will be made by the arbitrator and not by me. My prime concern was with the health and safety of the people of Saskatchewan, and with that consideration in mind, we called this legislature in to deal with that health crisis.

MR. LINGENFELTER: — The minister is indicating that basically the two groups were 6 per cent apart, and we went through the numbers earlier in second reading on what that amounts to. What I am wondering is whether cabinet and the government caucus considered calling the legislature back to introduce a budget which would put money into these areas where money is lacking. I maintain and I believe that we have a strike and back-to-work legislation being introduced because of lack of funding. I am wondering if it was considered by cabinet to recall the session to introduce a budget (which you haven't seen fit to do yet). Was that an option which you looked at seriously?

HON. MR. BERNTSON: — Mr. Chairman, we will be calling the House again later this fall, at which time the budget will, in fact, be tabled. At that time, Mr. Chairman, I am sure the member opposite will be pleased to know (and I give him that commitment today) that the health expenditures by this government will exceed, and I mean exceed, the health expenditures tabled in your budget last spring.

MR. SHILLINGTON: — I say to the member opposite that this kind of legislation is very destructive of the collective bargaining process.

HON. MR. BERNTSON: — It's very distressing too.

MR. SHILLINGTON: — I am glad to know the member is distressed. It is very destructive of the collective bargaining process, particularly when you bail out an employer twice within the space of four months. I say to you people you are setting yourselves on a slippery slope. When you bail out the SHA . . .

AN HON. MEMBER: — Don't worry about that.

MR. SHILLINGTON: — Well, I am worried about that because I was elected to do a job. I was elected to make a decision on behalf of the people of Regina Centre and the public, and I have a right to the information upon which I can make that decision. I say the arrogance of the members opposite has reached a new height if your view is that you make the decision and that's your problem and we don't have to worry about it. I say that's not the parliamentary process. I don't know who made that comment but I hope for his sake that he doesn't identify himself.

I say to the member opposite, you are setting yourself on a slippery slope when you bail these people out. You will find them coming back time and time again, because they won't settle. "Ah, but why settle? The government will legislate us back to work."

You are going to find yourself doing it again and again. I don't think it's any great secret that the last government had the same problem. I think it is fair to say, without getting into specific instances, that we made that mistake, and so will you.

That's why we want to know the extent to which you informed yourselves of the process and the extent to which you decided that they were being reasonable or unreasonable.

That's why we want to know because if you are asking us to do this you are encouraging an abuse of that collective bargaining process. We want to know the likelihood of that abuse materializing. So I ask the minister again.

HON. MR. BERNTSON: — Well, Mr. Chairman, I am a little distressed by the suggestion that the hon. member has put before us. He says that what we have done is started the ongoing process of bailing out the SHA. I am terribly distressed by that, Mr. Chairman, because it seems to me that the member was sitting on the government side of the House only last spring when SHA was negotiating with CUPE (Canadian Union of Public Employees) and that member and his government brought in Bill 45. Was that also, Mr. Chairman, to bail out SHA? Could it be possible, if that's true, that you, in fact, started this process? I don't buy that. I think it's a lot of garbage. I happen to have a great deal of respect for the judgment of not only the people of SHA, who are professionals in the medical field (in large part most of them were there while you were in government), but I have a great deal of respect for the judgment of the union negotiators as well.

Obviously they weren't able to come together. We are faced with a health crisis and we are here to deal with it. I don't mind if you stand here and debate this thing until the cows come home. I want to give you full and ample opportunity to debate this particular piece of legislation.

I find it a little distressing that we are here to deal with this kind of legislation. The free collective bargaining process is always the better alternative. It didn't happen to work this time. In the face of a serious health crisis we moved in this direction.

The arbitrator will make the decision as to the reasonableness, or lack thereof, of the negotiating parties. I am prepared to let him have the confidence of this House to do just that.

SOME HON. MEMBERS: Hear, hear!

MR. SHILLINGTON: — It is conceivable that Bill 45 (as I am calling it) may have begun the process. The member opposite has missed something. There was an election last April and there is a new government in office. What we are talking about here is what you did, not what the former government did. That's now the prerogative of historians. It's not the responsibility of this House to decide the merits or demerits of anything the former government did. We are here to make a decision as to whether or not we are prepared to support what you are doing.

I say to the member opposite that when you bail out the parties (I think I did refer to SHA but I really meant this sort of party), and you do it repeatedly, you encourage obstinacy and inflexibility in future negotiations. They really know that they aren't going to get hurt by the strike because the government is going to bail them out.

That's why I think you are under responsibility when you decide to call this House back into session to ensure that the parties have been reasonable in their negotiations. That's one of the factors. No doubt you also take into consideration the hazard to the health of the parties. But you are also under responsibility to ask yourself whether or not the parties have been reasonable, and whether or not they have abused the collective bargaining process. That's why I say to the minister that we have a right to know the proposals, or at least the cost.

You haven't given me any idea why you won't give us what the cost of the proposal is,

what the difference is — whether it's \$5,000, \$10,000, \$500,000, \$1 million. It makes a difference. If it's \$10,000, then it would have been a darn sight cheaper to have simply given SHA the money and settled. If it's \$140,000, that's a Bedson and a half. If it's \$1 million . . . All you have to do to get us off this point is provide us with the information we are asking for — information that we have a right to. I don't think there's any precedent for refusing this kind of information on this sort of bill.

I ask the minister again to at least give us what it would have cost. That doesn't give us the proposals. Just give us the cost.

HON. MR. BERNTSON: — Well, I find it equally as distasteful as the member opposite to talk about the previous government. Unfortunately, from time to time it comes into the debate, and I drag you back again to Bill 45. If throwing money on the table is the solution, why didn't you and your colleagues do it with CUPE?

The alternative to free collective bargaining, or throwing money on the table, which is again an intervention in the free collective bargaining process, is to let the strike continue. We weren't prepared to do that. We won't be prepared to do it ever when there is a serious health crisis in Saskatchewan, whether it's \$10,000, \$100,000 or \$1 million. When the arbitrator tells us what the settlement shall be, the Department of Health of the Government of Saskatchewan will stand that cost.

MR. SHILLINGTON: — Are you telling the House that no matter what the difference is, so long as the parties stand on holy ground, so long as they tell you there is a danger to the health of Saskatchewan citizens, they can rely upon you and your government to legislate the situation? Is that what you are telling the House?

HON. MR. BERNTSON: — The member doesn't understand, Mr. Chairman, that neither SHA nor SGEU has told us there is a health crisis. Cancer patients have told us there is a health crisis. Friends of cancer patients have told us there is a health crisis. Many professionals have told us there is a health crisis. All sorts of very, very competent and well-respected medical professionals and cancer patients and friends of cancer patients have told us there is a medical health crisis in existence today in Saskatchewan. We listened to them; we believe them. We are prepared to do something to deal with that crisis, and we are here today trying to deal with it. Hopefully, it will be dealt with before too much more suffering goes on.

MR. SHILLINGTON: — The minister is not answering the question. Are you saying that no matter what's involved, no matter how trivial the sum involved, if they're obstinate and you perceive there to be a health crisis, if you perceive there to be a danger to the health of the Saskatchewan citizens, you are going to legislate them back to work? Is that all it takes — that they won't move, and you perceive a danger?

HON. MR. BERNTSON: — Mr. Chairman, obviously the member is dealing in hypothesis to the extreme. I will tell him this though, if the determination is made that a health crisis exists, this government will act, no matter what the cost. We will deal with it.

MR. SHILLINGTON: — I say to the minister (this is what I'm leading up to) that it's a very short step from saying that if the parties are obstinate and there's a danger, you legislate them back to work to taking away the right of people in essential services to

bargain collectively. It's a very short step. I darkly suspect that that's what this government is leaning towards. In the not-too-distant future, legislation will prohibit those in essential services from striking. It's the nose of the camel in the tent. I ask the minister to unequivocally state that the government has no intention of introducing emergency legislation which prohibits people in essential services from striking. I ask you to unequivocally denounce that as a policy.

HON. MR. BERNTSON: — Mr. Chairman, the member obviously doesn't have the same respect or confidence in the negotiators for SGEU and SHA that we have. We think that probably both parties were negotiating in good faith and they came to an impasse. We think that in most instances reasonable men around the table will come to a reasonable solution. That didn't happen to be the case this time. We were faced with a health crisis and we've dealt with it. I don't anticipate any irresponsible action from either employer or employee in future negotiations. If it comes about and if it creates a serious health crisis, we will be prepared to deal with it. If you're asking me to unequivocally state here and now that we will not bring in essential services legislation, I can tell you I cannot give you that commitment. As I told the press yesterday (and it's no secret across the country), once we have decided in our own caucus (and we do have differences from time to time; we have a lot of people over here who think with independent minds) what our course of action will be, it will be announced at that time. I can tell you, speaking from a personal point of view, I have no truck nor trade with essential services legislation.

MR. SHILLINGTON: — If this is indeed the beginning of essential services legislation, then you're going to have an awfully difficult time with this caucus. I was on the fringes of the CCF caucus. I think the member for Assiniboia-Gravelbourg was, in fact, a member. I think the member for Assiniboia-Gravelbourg was a member of a caucus that fought pretty vigorously against essential services legislation. I was a candidate in an election in which that was a central issue. This is the nose of the camel of essential services legislation. If that's what you're setting us up for, we're going to be awfully, awfully hard to get along with. If you people are considering this, I think you have a responsibility to us to let us know. We ask only to be fully informed. We think we have that right. We ask only to be fully informed.

HON. MR. BERNTSON: — Mr. Chairman, the member's asking us if we are considering essential services legislation. He's asking only that he be fully informed. I'll tell you what I'll do. If you tell me everything about what you talked about in your caucus, I'll make the exchange with you. I'll start right now by telling you that the question of essential services legislation has not gone beyond even the most cursory looks in our caucus. It has received no active discussion at this point. We've been involved in other things. You talk about the nose of the camel through the tent. The nose of our camel, Mr. Chairman, is bringing health care in Saskatchewan back to the level we were once proud to say was the best in Canada. We are faced today with a health crisis. We are here to deal with and deal with it we will.

MR. SHILLINGTON: — One more question, then I'm going to get off this subject. I take the member at his word that at no significant level has essential services legislation been considered. There is probably no question which has not been considered somewhere in the public service. But I take the member's word that neither caucus nor the cabinet has in any serious way ever considered essential services legislation. I take you at your word as well that you find it distasteful. Don't you think, then that if you don't want to introduce essential services legislation that you have to make the collective bargaining process work? Wouldn't you agree with that?

HON. MR. BERNTSON: — Well, Mr. Chairman, if he just wants to run a bill through the House on essential services legislation, I'll vote against it, but if wants it in here just to debate it, we can probably do that on another occasion. Right now we're dealing with a piece of legislation that will put some cancer workers back on the job to deal with what is considered to be a serious health crisis. What was your next question?

MR. SHILLINGTON: — I think that was the question. I'm just going to make this comment, then I'm going to get off the subject. I think that by bailing out the parties as we and you have done twice in four months it encourages irresponsible collective bargaining. If you aren't going to introduce essential services legislation, and I take you at your word that's not part of the present game plan, then you have to make the collective bargaining process work. By bailing them out as you are doing, you are encouraging irresponsible bargaining. And if this session today is part of a process that's encouraging irresponsible collective bargaining, I think we have a right to know that. But I gather that the minister is determined that we're not going to get that information.

Let me ask you then about the nature of the emergency. Let me ask a series of fairly specific questions. Did the trade union movement provide staff on request from the doctors? I'll preface the comment. I understand there was a system whereby if the doctors told the SGEU that there was an emergency it provided staff. I gather on more than one occasion that doctors called the trade union, said there was an emergency, and on more than one occasion the union provided staff. Is that accurate? Was the union providing staff on a statement from a doctor that there was an emergency?

HON. MR. BERNTSON: — Yes, what you say is essentially correct. Where a doctor had indicated that an emergency did exist, the union, I understand, did provide staff to deal with that particular case.

MR. SHILLINGTON: — And is it accurate that on no occasion when a doctor declared an emergency was assistance refused? Is that accurate?

HON. MR. BERNTSON: — I'm having a problem with the definitions of emergency and urgent. There were some cases where a doctor had classified a patient as an urgent case, and the union refused to provide staff for 10 cases, I think, that we have had reported to us to date.

MR. SHILLINGTON: — Is it accurate to say that in no case where a doctor declared it an emergency the staff refused?

HON. MR. BERNTSON: — To my knowledge, that is essentially correct.

MR. SHILLINGTON: — If staff was being provided in all cases where there was an emergency, how did the lack of staff create an emergency? You've lost me on the next step. I assume we are here because it's an emergency. I assume that you're not bringing this in lightly, and that you're not doing it because of a possibility that there might have been some kind of hazard to public health. I assume we are here because in your view it's an emergency.

If the SGEU was providing staff in cases of emergency, then why are we here to abrogate an emergency?

HON. MR. BERNTSON: — I suppose there's a difference between a medical emergency dealing with an individual case, and a medical emergency dealing with the total of the cancer care program. You have to understand that when radiotherapy, as I understand it, is interrupted, pain and suffering worsen. The tissue that is being treated by radiotherapy becomes immune to further treatment. So surely any reasonable individual has to look upon that as an emergency. Mr. Chairman, from the numbers that have already been put on the table, 500 such cases would exist by the end of this month — 500 cases where radiotherapy would have been interrupted by the end of August. That, Mr. Chairman, coupled with the increased workload of the physicians and the physicists eventually has to lead to fatigue. Fatigue leads to poor judgment and errors, further putting these radiotherapy patients at risk. I think the overall picture can only be described as an emergency.

MR. SHILLINGTON: — The doctors didn't think it was an emergency. They didn't ask the staff to come back to deal with emergencies. Is the minister telling us that he is placing his judgment above that of the doctors — the doctors didn't say it was an emergency, but you are saying it was an emergency?

HON. MR. BERNTSON: — Well, Dr. Klaassen, who is the director of the Saskatoon clinic, added that the government's statement that patients' lives were threatened if the strike continued is no exaggeration. Now, if patients' lives are threatened, surely even the member opposite would agree that what we have here is an emergency. Surely, Mr. Chairman, even members opposite are not so callous and heartless as not to look upon this very serious health crisis as an emergency.

MR. SHILLINGTON: — I'm saying to the minister opposite that I would be the first to admit that there have been occasions in the history of this country when the trade union movement has been irresponsible, but in this case, the information I have (and if it's inaccurate, I want to know) is that the trade union movement bent over backwards to try to avoid any emergencies and any present danger to public health. They agreed to come back whenever an emergency was declared, and they came back when an emergency was declared.

I listened with interest to the statement by the director. I didn't see the statement. I don't know whether it was made public. But what he seemed to be saying was that if this strike continues, danger to the public health may arise. Surely when the danger does arise, that's time enough to bring in this kind of legislation. Surely you don't do it in anticipation of a danger arising sometime.

I recall the SPC's being on strike one summer. I recall them going on strike sometime during the summer, 1976 or 1977. I recall our being urged that this was a potential danger. Emergencies could arise.

The truth of the matter is that SPC carried on for some weeks, well over a month, on strike, and eventually it was settled. We haven't had a serious strike in SPC since that time. If you are saying that you are calling us back to legislate these people back to work because an emergency may develop if the strike continues, then I say again that you are encouraging inflexibility. You are encouraging the parties not to bargain because a strike really isn't going to hurt them, because you are going to bail them out. Was there an emergency, a present emergency?

You've also proved you can get this session back in the House — this House back into session, darned quickly, on a couple of days notice. A day and one-half, was it? So are

you saying that there was no emergency, there was just a potential for an emergency? Is that what we are being told?

HON. MR. BERNTSON: — Well, Mr. Chairman, I hope the people of Saskatchewan are listening to what is going on here. When the member opposite compares a strike of the cancer workers to a strike of the Saskatchewan power commission workers of some years ago, they are vastly different things. With respect to the provision of essential services by the union, they have in fact provided staff to treat a few cases on emergencies.

I am advised they refused to treat 10 new patients that were classified as urgent by the medical staff. In addition to that, Mr. Chairman, Dr. Klaassen, the director of the Saskatoon clinic, told a Department of Health official, also told a CBC reporter, that if the strike continued beyond this weekend, they simply couldn't cope any longer.

In addition to that, he said that beyond this weekend the lives of many, or some, or whatever, of the cancer patients would be in jeopardy or would be compromised. Surely, Mr. Chairman, members of this House will not try to tell us that this isn't a health emergency that we are dealing with. If that is what he is saying, put it on the record, because I want the people of Saskatchewan to know that the member for Regina Centre doesn't view the situation as an emergency situation.

SOME HON. MEMBERS: Hear, hear!

MR. SHILLINGTON: — I am saying now, as I said in my second reading speech, that we don't have that information on which I can make that judgment. I don't expect, as a member of the opposition, to be in that position. I don't expect to have that kind of detailed information, and that's the primary reason why we voted for this legislation on second reading, because we don't have that information. Before I vote on the bill, however, I expect to know if this is an emergency, or if it isn't. You recited the comments of someone with whom I confess I am not familiar. I don't recognize the name of the person who proclaimed an emergency. Is that the sole basis upon which we are here, because an official said it's an emergency? Is that why we are here? Was it that statement that galvanized you people into action?

HON. MR. BERNTSON: — My understanding, Mr. Chairman, is that Dr. Klaassen, the director of the Saskatoon Cancer Clinic, is recognized among the top oncologists in Canada. He is one of the best in Canada, Mr. Chairman. I have confidence in his advice, confidence in his opinion. When he tells me that lives will be compromised if this strike continues beyond this weekend, I'll take him at his word.

In addition, Mr. Chairman, we have cancer patients who feel that their lives are compromised; we have friends of cancer patients who are suffering terrible anxiety because they feel their friends' lives are compromised. We are looking at 44 new cases today which aren't receiving treatment, or only cursory treatment. For 14 of those 44, arrangements have been made to fly them out of the province for treatment. Surely even members opposite will understand that by now we are at least approaching an emergency. By this weekend the doctors and physicists will not be able to cope. By the end of August, if the strike were allowed to continue, 500 cancer patients would have their radiotherapy treatment interrupted. Surely even members opposite will agree that by the end of August we will be at least approaching an emergency health situation.

MR. CHAIRMAN: — According to an order passed earlier today I do now leave the chair

until 2 p.m. today.

The Assembly recessed from 1 p.m. until 2 p.m.

COMMITTEE OF THE WHOLE

Bill No. 38 — An Act respecting the Maintenance of Operations of the Saskatchewan Cancer Foundation

Clause 1 (continued)

MR. KOSKIE: — Mr. Chairman, the minister has indicated some of the information which he received which led him to believe that there was indeed an emergency and that the lives and safety of the cancer patients were at risk. As a consequence, he called the legislature back. He quoted some statements of Dr. Klaassen, and he indicated that he had had some communication with patients. I would like to ask the minister whether he or the government has received any written documentation setting out in some detail the various risks that are involved with respect to the continuation of the strike as it relates to the patients.

HON. MR. BERNTSON: — No, our communication has apparently all been verbal. I hope that the member for Quill Lakes is not changing his mind, because I was of the opinion before we adjourned for lunch that the only person we had yet to convince that we had an emergency on our hands was the member for Regina Centre. The member for Quill Lakes had already agreed that we were dealing with an emergency health situation, the member for Shaunavon had already agreed to that, and some other members hadn't spoken against that particular thought, except for the member for Regina Centre. So I am hopeful, at least, that the member for Quill Lakes hasn't changed his mind and decided that we are not now dealing with an emergency.

MR. KOSKIE: — You indicated that your representations with respect to the emergency nature of the situation, which compelled you to call this legislature, were verbal. Can you indicate to me whether any member of the government or cabinet has in fact met with the directors of the cancer clinics?

HON. MR. BERNTSON: — No member of the government or cabinet has met directly. Senior health officials have been in constant contact with senior officials in the foundation.

MR. KOSKIE: — With respect to describing the degree of the emergency of the situation, I think he indicated the need for transporting a number of patients out of the province. Can you indicate to me whether or not any patients, from either the clinic in Regina or in Saskatoon, have been transported out of the province to date?

HON. MR. BERNTSON: — To date, there have been no patients transferred out of the province. If this legislation is not dealt with today, arrangements have been made for 14 patients to be transferred out of the province for cancer treatment.

MR. SHILLINGTON: — The minister has suggested that I am not completely convinced that there is an emergency. I want to make it crystal clear to the minister that I'm not completely convinced there is an emergency. I have dark suspicions that this government acted before it had to, for political purposes. You wanted to look tough in

beating up a group which doesn't have a lot of public support. I have dark suspicions that this is union baiting. I have a suspicion that had you known Allan Blakeney wasn't in the province, we might not have been here. I have a suspicion that had you known that, we might not have been here.

I want to refer the Attorney General, who take such wild offence at that comment, to an article in the *Leader-Post* this morning. I assume it was this morning; I was just handed the thing as I walked in.

AN HON. MEMBER: — Well, obviously, it is the word of the gospel then.

MR. SHILLINGTON: — Well, certainly, the member for Thunder Creek wouldn't know. I don't know that the member for Thunder Creek ever reads the newspaper, so certainly he wouldn't know if it was the gospel or not.

I am going to ask the member for Quill Lakes if I can have his copy of that. We will give you a copy in a moment. I want to read this article, dated today. It says: "No Cancer Patients to Leave Province if Strike Ends Next Week."

No cancer patients will be sent out of the province for radiotherapy treatments after all, provided striking cancer workers obey back-to-work legislation. When announcing the recall of the legislature, Health Minister Graham Taylor said that 14 cancer patients in need of immediate treatment were to be moved to Edmonton and Winnipeg right away. But David Klaassen (who was your authority on an earlier comment), the Saskatchewan Cancer Foundation's medical director and director of the Saskatoon Cancer Clinic, said Thursday no patients will leave the province. Fourteen patients were selected for urgent out-of-province treatment if necessary. Klaassen said some decided not to go and some decided to wait. But the medical authorities of those who decided to go say "no sense in sending them out-of-province for only one or two treatments," he said. "The patients also don't want to go unless they get prolonged treatment. If it had been a long strike, we would have had to make other plans for these people," Klaassen said, "but if it is only a few days, they can wait."

Dr. Clayton Crosby, the Regina clinic director, said the Regina clinic had no urgent patients who had to leave for treatment this week, but a decision would have been necessary early next week if the strike continued.

Klaassen said that he did not think the government over-reacted to legislate the workers back to their jobs. "Purely from a medical standpoint, I was worried about entering next week with the strike still on."

What both the Saskatoon and Regina clinics are saying in this article is that there weren't any urgent patients who had to be taken out of the province. They are contradicting the Minister of Health who is saying that there are 14 who have to leave right away and that's why they're introducing legislation. I say to the House Leader that your Minister of Health has been painting the situation far worse than it is. That's the substance of this article. He's painting the situation far worse than it is. He's doing so in an attempt to create a climate of fear among the Saskatchewan public and particularly among the cancer patients. He's intentionally trying to create fear. You people are moving on this bill before you have to. I say that this article is proof that you people are union baiting.

HON. MR. BERNTSON: — I don't see what the contradiction is. It says, "No Cancer Patients to Leave Province if Strike Ends . . ." Some place in the article you said it says, "within the next few days." If wonder if the member opposite is under the illusion that the cancer cells quite multiplying on Saturday and Sunday. We have an emergency situation. Dr. Klaassen of the Saskatoon clinic, who is the medical director of the foundation, has indicated to senior health officials, as well as to the CBC (Canadian Broadcasting Corporation) that by the end of this week physicians and physicists will be unable to cope with this situation. The 14 patients for whom arrangements have been made to go outside the province naturally are waiting to see how this legislation is dealt with. If it is passed, naturally they won't leave the province. If it is not passed, some of them will be very reluctant to leave the province because this is where their families are. They don't want to go through the anxiety of being perhaps terminally ill and away from their families. That's why I would urge members to get this legislation through, to get the cancer workers back to work, bring and end to this health crisis and allow the arbitrator to bring a settlement to the dispute.

MR. SHILLINGTON: — I know that that's what the minister hoped and wished that the doctors had said, but that in fact is precisely what they didn't say. I'll read this again for the minister who seems to have some trouble reading the English language:

Dr. Clayton Crosby, the Regina clinic director, said the Regina clinic had no urgent patients who had to leave (the province) . . .

The Minister of Health said there were 14 patients who had to leave right away. Dr. Klaassen said that nobody has to leave right away. The situation hasn't deteriorated to that point. It would have been relatively easy for Dr. Klaassen to have said, "My staff can't carry on. Therefore, we have to ship people out of the province." He didn't say that. He said that nobody has to leave. Surely, if his staff had been at the breaking point, as a responsible doctor he would have sent the patients out of the province. Surely as a responsible doctor he would have sent the patients out of the province. Surely the logical conclusion from this article is that there is no emergency situation, that you people moved prematurely for the crassest of political reasons.

HON. MR. BERNTSON: — Well, I want to talk about crass politics for a while because the member knows something of that. He sat with a government that voted to legislate 12,000 workers back to work just prior to the last election. And why? Well, because there was a health emergency. And we supported you on that because there was a health emergency. Your motives were purely political, and to sweeten the pot you injected a little cash settlement into it because we recognized there was a health emergency out there. There were a couple of other little things that were included in that bill. There was another little item that was included in that bill, but I'm not going to go into it now because it detracts from the real issue . . . (inaudible interjection) . . .

Yes, because this is indeed a health emergency. The 14 people we are talking about waited last Wednesday for the outcome of the meeting between the Minister of Labor, the Minister of Health, and the two parties to the dispute. When the outcome was evident, it was then apparent that the legislature was coming in to deal with it. So they are now waiting to see what happens with this legislation. If this legislation is not dealt with, or if it is defeated, I would suspect that a goodly number of those 14 people, and any others in the meantime who are deemed to be urgent or emergency cases, will accept the offer to go outside the province for treatment.

What was the other question you raised? Oh, I know what it was. Now you are telling us that the *Leader-Post* is the gospel. I happen to have confidence in Dr. Klaassen and his opinions. I happen to have confidence in the health officials that have been in contact with the officials of the foundation, and I happen to have confidence in their ability to understand the English language. And I have far less confidence in the member for Regina Centre or in the *Leader-Post*.

MR. SHILLINGTON: — I am genuinely disappointed to know that the member for Souris-Cannington hasn't confidence in my judgment. That's a real disappointment. I want to say to the member for Souris-Cannington, who I should be referring to as the Minister of Agriculture, that you weren't elected to have confidence in the opinion of a doctor, and act upon it unthinkingly. You were elected to exercise your own judgement. What we have been trying to do since 11:30 a.m. is find out the basis upon which you exercise your judgment. And, if you did it purely upon the say-so of Dr. Klaassen, if Dr. Klaassen said it was an emergency, and on that basis you proceeded, that's what I want to know. If there were some other factors involved, then I want to know that as well.

I say to the member that my suspicion that you were moving prematurely on this thing is really inflamed by a report that the director of the Regina clinic had no urgent patients. I suspect that to be the case. I suspect that you moved on this before you should have.

HON. MR. BERNTSON: — If the member is suggesting that we moved on this before we should have, he is entitled to his opinion. I'm sure that the people of Saskatchewan will make a judgment on his opinion. I have confidence in the senior officials in the Department of Health, the senior officials in the foundation, cancer patients, and friends of cancer patients. I have confidence in these sources that have told us again and again that we are experiencing a crisis. If the member for Regina Centre does not believe this, I urge him to stand up and vote against this bill. We want to get it through. We want the cancer patients in Saskatchewan to have the best possible treatment that can be made available to them, and we want that to happen before this day is out.

SOME HON. MEMBERS: Hear, hear!

MR. KOSKIE: — In this article it refers to some 14 cancer patients being considered to be moved to Edmonton and Winnipeg. Has the minister an opinion as to whether or not the health of those 14 patients to be moved to Edmonton or Winnipeg would be endangered?

HON. MR. BERNTSON: — I'm not a medical professional, and I'm not going to give a medical opinion, but it is my understanding that any interruption in radiotherapy treatment causes serious jeopardy to the recovery of that patient simply because any interruption in radiotherapy causes the cells to become immune or not responsive to treatment down the road. That's not my medical opinion; that is from those who explained it to me. Now, if you're asking me for a medical opinion, you're obviously asking the wrong person.

MR. KOSKIE: — Mr. Chairman, I'm not asking him for a medical opinion, because you can't get a very informed opinion on anything. What I'm asking you is whether or not you, as a responsible minister, by introducing this back-to-work legislation, have in fact anything to support the fact that if patients were moved out the health of those patients would be endangered.

HON. MR. BERNTSON: — Mr. Speaker, the 14 new patients who are being talked about

as it relates to transporting them out of the province for treatment are 14 of 44 new patients who have not had previous treatment. With every day that goes by their chances of recovery through that treatment are compromised. Even though members opposite won't agree that it's an emergency, will they acknowledge that it's at least urgent, and if you won't acknowledge that it's at least urgent, will you stand up and vote against the bill?

MR. SHILLINGTON: — Well, the minister is unable to provide us with any emergencies. Are you saying you proceeded on the basis that it was urgent? Is that the position we are now in?

HON. MR. BERNTSON: — Well, I can take the member, once this House adjourns, and introduce him to some of those emergencies I'm talking about. If the member simply won't believe this side of the House, when we say we are dealing with an emergency, in light of what we have told you . . . There are 14 people scheduled to leave the province for treatment. There are 44 new patients. There are 110 or so, on average, treated daily. This is now reduced to somewhat less than that — I think, 40 or 50 a day. When radiotherapy is interrupted it seriously compromises the life of that particular individual. Would you please, for a moment, put yourselves in the shoes of a cancer patient, and put yourselves in the shoes of the family of the cancer patient. Will you find one ounce of compassion, and for God's sake deal with this legislation and make the treatment available for these cancer patients. I'm hopeful that we can do it soon.

MR. SHILLINGTON: — The minister is full of emotional rhetoric, but short on information. I want to ask about the activities of two of the ministers, the Minister of Labor and the Minister of Health. I know that the rules of the House are that these questions are traditionally directed to the minister responsible for the bill. I think, if you would prefer, the members of this caucus would be just as happy if we asked the Minister of Health and the Minister of Labor the questions directly . . . (inaudible interjection) . . . Well, apart from your preference to avoid entirely the activities of the House, I am asking the Minister of Agriculture a question: would you consent to us asking the Minister of Health and the Minister of Labor directly about their role in the matter, or do you want the questions directed to you?

All right. How many times did the Minister of Health meet with the SHA before Wednesday?

HON. MR. BERNTSON: — Do you want to go through all this again? You went through it in question period. I think the Minister of Health replied at that time that he was in no way injecting himself into the collective bargaining process, and the only time he met with either party was at Wednesday's meeting with the Minister of Labor when he met with both parties simultaneously.

MR. SHILLINGTON: — And would the minister confirm that was also the situation with respect to the Minister of Labor — that he didn't meet with either side, either?

HON. MR. BERNTSON: — I think that is essentially correct. The only time he met with either party was at the meeting last Wednesday, and again simultaneously.

MR. SHILLINGTON: — Does the minister not feel that members of the treasury benches have some responsibility to do what they can to settle this strike before it reaches this stage? Do the members of the treasury benches not accept some responsibility to turn over every stone in an attempt to settle this?

I remind the Minister of Agriculture that in the dairy workers' strike the former minister of labor intervened directly in the negotiating process with the dairy workers. As you will recall, he met with the dairy workers and the employees in this House and it was settled as a result of his intervention. So the intervention of the minister can be decisive and I suggest to the Minister of Agriculture that it's a step which ought to be taken before you declare the situation to be hopeless and call this legislature into session. I ask the Minister of Agriculture why the Minister of Health or the Minister of Labor didn't intervene in an attempt to resolve the matter?

HON. MR. BERNTSON: — It's my understanding that the Minister of Health and the Minister of Labor, prior to bringing in Bill 45, did not meet with the disputing parties. That strike, I understand, went 15 days; this one has gone 10.

Mr. Chairman, they have been without a contract for 10 months. Sig Walter, an experienced government negotiator or conciliator or whatever you call them, brought the two parties together last Friday. After ten and one-half hours it was apparent there was no flexibility. Both sides had dug in. Following that, the Minister of Health and the Minister of Labor called the two parties together and offered a board of conciliation; that was turned down. Our next move was to call this legislature to deal with the matter.

If the member opposite doesn't believe that we have given it our best effort, I suppose he will go to his grave believing that. The fact is that we believe we have gone the extra mile. In the interests of the health and safety of the people of Saskatchewan, I would urge you to support the bill, allow the arbitrator to settle the dispute, and allow the cancer patients in Saskatchewan to receive treatment in our hospitals in our province with their friends and relatives.

MR. SHILLINGTON: — Well, I say to the minister it is not a question but a comment. I say to the minister that it has worked in the past. I am surprised that you didn't feel that it was at least something you ought to try. Surely you had nothing to lose by having the Minister of Labor, the Minister of Health, attempt to negotiate. Surely you had nothing to lose. If it failed then you had to call in the legislature. There are, I suppose, people cynical enough to suggest you really didn't want the thing settled. You'd prefer to legislate them back to work for the crassest of political reasons . . . (inaudible interjections) . . .

I can understand why the minister would want to talk about the past. The past is a lot better subject for him than the present. In fact, you are making your own mistakes and making them fast.

I want to ask about the activities of the Minister of Health. Am I correct that the Minister of Health made a public statement, before he met with the parties, to the effect that he was going to meeting with them and that he was going to ask them to accept a conciliator? If they did not accept a conciliator, they'd then have to take some action which he didn't specify. The thrust of the question, long-winded as it is, is: did the minister not make a public statement before he met with the SHA and the SGEU?

HON. MR. BERNTSON: — Okay. To the best of my recollection and the recollection of the minister, there was a statement to the effect that he had invited both parties in to meet with him and the Minister of Labor. There was no statement beyond that. There was no ultimatum or, as the minister said, "or else."

MR. SHILLINGTON: — Is the House Leader saying that there is no comment from the Minister of Health, and if they didn't accept a conciliator he would have to review his options? Was there no statement to that effect?

HON. MR. BERNTSON: — I understand that his statement was that he invited the two parties in, gave them both until noon the next day to inform his office as to whether they would accept a conciliation board, a tribunal — whatever that is. One party accepted the offer, the other party did not. It was then we explored the options open to us, and decided to bring in legislation.

MR. SHILLINGTON: — All right. Just to confirm. What the minister is saying is that those comments were made in advance of the meeting, that SHA and SGEU would be asked to accept a conciliator, and if they didn't they would then have to reconsider the matter. Was that comment not made in advance of the meeting?

HON. MR. BERNTSON: — What he said in advance of the meeting was that he had called the two parties together — him and the Minister of Labor. At the meeting, my understanding is that he offered them a conciliation board, one member to be picked by each party and the chairman to be mutually agreed upon. He gave them until noon the following day to accept or reject the offer, by calling his office with a letter to follow. It was only after the offer was rejected that we explored the options available to us. The option that we chose was legislation.

MR. SHILLINGTON: — When did the cabinet meet to make the decision with respect to legislation?

HON. MR. BERNTSON: — I'll tell you, but while I tell you, I want you to know that it's none of your business, because the member opposite knows full well, having sat in cabinet, that cabinet decisions are confidential to cabinet. The fact is that the decision was made Wednesday. I don't know, with any degree of precision, quite what time because I was down here talking on the telephone to cabinet that was meeting in Prince Albert.

MR. SHILLINGTON: — I am not in any sense suggesting that the House Leader is misleading the House. I do think you are misinformed. I do think the minister told the parties in advance of that meeting that he wanted them to consider conciliation. He was going to give them a brief period of time to consider it, after which time he would consider his options. I do think that was made public because the members of the SGEU indicated that they had considered the matter in advance of the meeting and had determined that they couldn't accept it. So I think the information the minister has is inaccurate.

Let's just assume that the first time he made a public comment was at the meeting. Why on earth would the minister make a public statement to the effect that if you don't do it my way we're going to do something, which anyone could interpret to mean legislation? Why on earth would you make that statement public? Surely to issue that veiled threat to the parties must have been designed to ensure that they wouldn't accept conciliation. Those sorts of cheap threats . . . Surely it would have been better not to have said anything.

HON. MR. BERNTSON: — I don't suppose the hon. member has ever thought that perhaps it might be he who may be unintentionally misleading the House. To our best recollection, the only statement made by the Minister of Health, prior to the announcement that this legislature would be reconvened to deal with the matter, was

that if agreement weren't reached by noon the following day (agreement to accept the conciliation board), they would have to start making arrangements to transfer the 14 patients out. It may have been anticipated by members of the press or otherwise that the option to be used, if that course of action was not agreed to, would be to reconvene the legislature. There was no public statement, to the best of our recollection, by the Minister of Health, or anyone else.

I also point out, while I am on my feet, that as I recall, after the meeting with the Minister of Health, the Minister of Labor and the two negotiating parties, the press statements were very positive. To paraphrase the union negotiator, it was a positive step to deal with a difficult situation. The Minister of Health, at that time, dealt with it by saying he felt optimistic and hopeful that they would accept the offer, and to my knowledge there was no other statement relative to what options would be open beyond that.

MR. SHILLINGTON: — All right, then. Accepting the accuracy of your version of the events that the minister, the first time he gave him the deadline, was after the meeting. Why would the minister make that public statement? Why would he hold a gun to their heads publicly? Why would he just not simply say, "We have met and I'm awaiting their reaction"? Why hold a gun to their heads publicly?

HON. MR. BERNTSON: — I don't know what you're saying when you ask, "Why hold a gun to their heads publicly? He said in the meeting that he would like not to have the answer then but by noon tomorrow. That was told to both parties to the dispute. He came out of there and said to the press that he was optimistic and hopeful that this course of action, this conciliation board, would be accepted. If it were not, he would have to explore the option of transferring patients out of the province for treatment. I don't quite understand what the member is hung up on. I'm not sure he does either.

MR. SHILLINGTON: — I'm not going to pursue the matter. I will just simply say that I understand you to be saying that the minister said publicly, "I want you to accept conciliation within 24 hours. If you don't, I'm going to have to review my options. I'm going to have to take some unspecified action, or I'll have to consider the matter." It doesn't take a genius in double talk to know that the minister is saying, "If you don't accept conciliation, we're likely to introduce back-to-work legislation." That's a public threat. If you had really hoped that the conciliation would be accepted, I suggest he would not have mentioned his request to the public until after he had the answer. Surely that's the better way to have handled it — to not mention the request to the public until after he had their answer. Then, if they agree, they don't appear to be agreeing under threat. They don't appear to be caving in under pressure from the minister.

Another question I have (and I think I'm close to my final question on this bill): why is the arbitrator now going to be permitted, in his discretion, to consider the proposals? I understand that it was a recommendation of Mr. Justice Halvorson. I understand that from what you said earlier. I'm wondering if Mr. Justice Halvorson gave any reasons for that recommendation. If so, what were his reasons for suggesting that?

HON. MR. BERNTSON: — It was at the request of Judge Halvorson, as I understand it. He asked that it be considered because, first, it gives the arbitrator more flexibility and, second, if evidence had been entered that was specifically precluded by the section you're talking about, it could jeopardize the arbitrator's settlement. It could be overturned, I understand, if he heard evidence that had been specifically precluded by the section you're talking about.

Clause 1 agreed to.

Clauses 2 to 5 inclusive agreed to.

Clause 6

MR. CHAIRMAN: — There is an amendment from the member for Regina Centre.

HON. MR. BERNTSON: — Mr. Chairman, before we deal with the amendment, I would ask Mr. Chairman to make a ruling as to whether or not the amendment is in fact in order. As I read the amendment, it calls for a charge on the public purse, and therefore should be ruled out of order, as only a member of the Executive Council can call for a charge on the public purse.

MR. SHILLINGTON: — Is Mr. Chairman inviting comments on this point of order before he makes a decision?

MR. CHAIRMAN: — I am prepared to rule on it. A point of order has been raised by the Deputy Premier to the effect that the amendment to clause 6 of Bill 38 is money, and therefore requires a recommendation from the crown. Erskine May's *Parliamentary Practice*, 19th Edition, page 752, describes the tests used to determine whether an expenditure involves a charge on the public purse, and states that "A charge must be new and distinct."

The proposed amendment to clause 6 does not appear to impose a new or additional charge. Section 3 states that any amounts paid to an employee pursuant to subsection 2 are deemed not to be in addition to any amounts payable under a new or amended collective bargaining agreement. The amendment therefore proposes to provide to employees interim payments which will ultimately be provided for as part of a new or amended agreement.

Beauchesne's section 558 says:

A bill, designed to furnish machinery for the expenditure of a certain sum of public money, to be voted subsequently by Parliament, may be introduced in the House without the recommendation of the Crown. *Journals*, January 6, 1912, pp. 118-9.

Accordingly, I rule that the amendment is not money, and therefore is in order. Is there a question on the amendment?

MR. SHILLINGTON: — May I just comment, Mr. Chairman? I'm not going to spend a long time on this. I think it is relatively straightforward. I remind members opposite that this was done in April and you voted in favor of it. There were no adverse comments in committee of the whole that this was something that should not be done. I remind members opposite that it was done with the dairy workers.

The figure that was used with respect to some employees in March was \$125, and that is why we used the figure of \$125 again. We probably could have gone higher than that and been quite safe, but we chose it because it was a figure that had been used before.

I remind the members opposite that it was done with the dairy workers on both occasions, that it was done with SPC. In those three occasions the figures used were \$100 per month. I remind members opposite that this has been a standard feature in other legislatures as well. I didn't have time to research every single awkward time in the last 10 years the federal government has ordered people back to work. There are not many. I do know that it has been a standard practice of the federal government, as well. It may be an oversight, although I gather that the member, in his closing speech, said wasn't an oversight, that he'd had no intention of doing it.

I wonder what bit of peculiar vindictiveness makes you people treat the cancer workers differently than all the other workers in this province and federally have been treated. I wonder why you feel that the cancer workers are somehow less deserving than other groups in this province and nationally?

HON. MR. BERNTSON: — Well, I remind the member opposite that only a few moments ago he was reminding us not to look at history. Then he immediately jumps back into it and reminds us about the legislation of Bill 45, which I think he would sooner forget. The reason, quite simply, is that this bill is a little different from Bill 45. This bill provides that the arbitrator may look at all the evidence. He is not restricted at what he may look at. We viewed this section of Bill 45 as anticipating what the arbitrator may, in fact, decide. We, therefore, decided that it wouldn't form part of this bill. The arbitrator, I think, has 30 days after the hearing to file his decision. We, therefore, will not be voting for the amendment.

MR. SHILLINGTON: — Surely, the rationale behind these provisions, federally and provincially, is that if you are going to take away the workers' right to strike, you then immediately owe them the very minimum that an arbitrator is likely to award. That is how the figures are chosen. They are the minimum beyond which no one would expect an arbitrator to go. If you don't agree with the figure, if you have a better figure, if you think the right figure is \$75 or \$100, we are open to that. I don't see why you people won't give the workers what you view to be the absolute minimum. I just do not understand how that compromises the arbitrator, unless you expect the arbitrator to come back and award nothing at all. I don't know.

HON. MR. BERNTSON: — Well, the member raises a valid concern and I am somewhat sympathetic to the concern he raises. We have taken the view that this section is anticipating what the arbitrator may, in fact, decide. Anything that he does decide is retroactive back to the day that the last contract ended. So whatever the arbitrator decides, he may have part, or all, or any of it, or whatever, retroactive back to when the last contract expired, and the workers will be getting the full benefit of whatever the arbitrator decides they should have. We just simply will not anticipate what the arbitrator may decide.

MR. LINGENFELTER: — The minister has indicated that he doesn't want to influence the arbitrator. I suppose he makes a good point if, in fact, he is assuming that the arbitrator is going to rule less than \$125 per month, which would mean an award of less than 7.5 per cent or 8 per cent for most of the employees in this group. This leads us to assume that the possibility of the imposition of a 6/5 wage restraint program is in the offing and that, in fact, you are trying to avoid getting yourself in a bind following the Halifax first ministers' meeting, when such an arrangement will be made with Trudeau and company. Can the minister assure us that this is not, in fact, going to happen? Can you assure us that you are not flirting with the idea, that you are not considering it, and that a 6/5 arrangement will not be brought in and imposed on this group of workers?

HON. MR. BERNTSON: — Well, I'm sorry that we brought you in so early this morning. Had you been afforded the opportunity to hear the news this morning, you would know that our Premier has categorically rejected the federal proposition of the 6/5 arrangement.

MR. SHILLINGTON: — I want to say that there are rare occasions when the Premier and I would agree upon something. I suppose we might agree on the merits of a former baseball team called the Lakeview Lakers, but when we get beyond that we have some problems. But on this issue I want to say I do agree with the Premier. I have not seen the announcement of the rejection of six and five, but if that in fact is what has been said I applaud the Premier for rejecting the six and five as being totally unfair. I will be interested in seeing the press release when it winds up on my desk.

I want to get back to the merits of providing those workers here and now (when you take away their right to strike) with what you regard as the minimum beyond which no decent settlement should go. You must have a figure beyond which you would not want an arbitrator to go. Why don't you give the workers that figure right now?

HON. MR. BERNTSON: — No, if we had a figure why would we call in an arbitrator? The arbitrator will make his decision, and whatever his decision is the workers will receive. The full cost of whatever the arbitrator decides is a fair settlement will be borne by the Department of Health. I have some sympathy for the position raised by the member opposite. I have given you our position. We will not anticipate the arbitrator. We will be voting against your amendment.

MR. SHILLINGTON: — I say, and this is my final comment, that this is yet another indication of the anti-labor policy of this government. If you people were genuinely concerned about the workers you would tell them here and now what you regard as the minimum. This is part of an anti-labor policy, of which we have seen a good deal in the last three months.

MR. KOSKIE: — I just want to add a point on this amendment. I think it's reasonable to say that in the type of dispute we are dealing with here — a dispute with respect to health care, with respect to those very sensitive areas of hospital workers and cancer workers — the ordinary right of bargaining is somewhat curtailed in comparison with other workers in society, and if any group deserved some interim compensation I would think that this is a group that certainly deserves it. I appreciate that the Deputy Premier is saying that he doesn't want to interfere with the arbitrator, but since six and five is not going to be applied in this province why don't we at least go to that level with the interim payments?

HON. MR. BERNTSON: — I can say to the members, and I've said it before, and I'll say it as many times as you ask: we didn't come to this decision lightly. This bill is somewhat different from Bill 45 in that it allows the arbitrator the full latitude to look at all evidence put before him. We decided not to anticipate the arbitrator, that he could look at the evidence put before him by both parties. We have come to that decision. We didn't come to it lightly. I have some sympathy for the argument you advance, but our decision is that we do not intend to anticipate the arbitrator and we will not be voting for your amendment.

MR. ENGEL: — I haven't made a comment on this bill up to this point, or indicated what my position would be. Are you saying that we are entering a brand new era in the style of

negotiation with this legislation? This is the fifth time that we've legislated people back to work since we removed the provisions that cabinet had when the former premier, Ross Thatcher, implemented his famous Bill 2. I was a member of this legislature when that bill was removed and we restored a sense of dignity to the working people. Now you are saying that we are going to implement back-to-work legislation and tell an arbitrator that there is no floor, no ceiling, no commitment, no promise at all — just take away any right or anything a worker had before at all.

Look at what our hospital workers are getting and the seriousness of this situation and what you are talking about as far as the cancer workers are concerned, and compare their wage rate with a regular nurse. I am wondering why we can't have a little carrot in there for them and say, "We are taking away your right to strike, but when we take that away from you, you are getting a guarantee or a floor or a minimum." I think that's the least we can do for these 85 people.

They are a small group in comparison to some of the other people who have been legislated back to work. When we legislated the power corporation workers back to work there were lots of people. Just this past April we had legislation and legislated close to 6,000. We are dealing with 80 people — a small minority of our work force who are doing a very sensitive job. Do we just fly in the face of these people's concerns and not even put in that little guarantee? I think the minimum we could do is provide the same benefits from back-to-work legislation as we have done in the past. I feel very strongly about this situation, Mr. Deputy Premier, and I wish you would relieve our concerns that we are starting a precedent and a brand new type of back-to-work legislation. It's so close to what Bill 2 was all about.

HON. MR. BERNTSON: — I can't believe what I'm hearing here, Mr. Chairman. We've agreed on the principle of the bill. The principle of the bill is to legislate the cancer workers back to work to provide health care treatment to the cancer patients of Saskatchewan. It also provides a process for the settlement of the dispute. That's been agreed to. We have all voted on that. That process is binding arbitration. Now this member tell us that what we should do is bring this arbitrator in and then tell him, "Here are the numbers you have to work with." You want a floor and you want a ceiling. I'm using your words. You want a floor and you want a ceiling.

Mr. Chairman, the member has also said that we have had five since the demise of Bill 2. Is that right? I can tell you we have had one in this government, and in that dispute those parties were without a contract for six months while you were in government. It has now become a health emergency. We are dealing with it. We have decided, although I have some sympathy for your argument, that we will not anticipate the arbitrator, we will not put in a ceiling or a floor. We are going to let the arbitrator arbitrate without handcuffs, look at all the evidence and come down with his decision, at which time the Minister of Health will provide the dollars to cover that cost. We will not be voting for your amendment.

SOME HON. MEMBERS: Hear, hear!

MR. ENGEL: — I can appreciate the Tory position and the applause the Deputy Premier would be getting for saying that they're not going to guarantee and that it's all of a sudden really bad to have a floor on what we're prepared to pay people who we're forcing back to work. This is a special situation, Mr. House Leader. We're taking away their right to strike, we're forcing them back to work and, in turn, we're not providing any base line. We're asking them to set aside inflation and what their counterparts are

receiving — the person working in the very same hospital on the very same floor, one administering cancer relief and another one dealing with heart surgery or whatever it might be. There is such a discrepancy between the two.

I can't see why we can't in this legislation, be humane about it, put a floor in there and just say that this is as low as you can go as far as the arbitrator is concerned. You might even come back with an arbitration giving them less than they're getting now. What guarantee is there that they're going to get any kind of increase at all? And yet, we're taking away their right to strike, their individual freedom. You're limiting and taking that freedom away from them.

HON. MR. BERNTSON: — I don't know how many times I've told members opposite that I don't intend to inject myself into the bargaining process . . . (inaudible interjection) . . . The member opposite is telling me I should inject myself into the bargaining process. He's telling me that I should make the decision as to the parity or lack therefore and that the negotiating party shouldn't. He's telling me that I should be writing into this bill exactly what the arbitrator should be looking at. I'll tell you what I'm looking at. I'm looking at a health crisis in Saskatchewan. I want these cancer workers back to work to provide health care for these cancer patients. I will not anticipate the arbitrator. Why have him otherwise? If you feel so strongly about your amendment — and I have confidence that the arbitrator will be fair to both sides — please stand up and vote for it. I intend to vote against it.

MR. KOSKIE: — I just want to make it clear that the Deputy Premier is bringing in a red herring when he rejects a floor amount to the workers. In the previous legislation, under Bill 45 or any other where there was a basic amount paid, all of the settlements were higher than that base amount. Here, if the very minimum of 6 per cent was infused into it, it would be about \$120. And they're saying that there are no settlements that they won't adopt to six and five. So to say that a base would interfere with the arbitrator is nothing less than a red herring. I want to say that the true effect here is that it is an anti-labor point of view that is being put forward by the Deputy Premier.

HON. MR. BERNTSON: — The member opposite obviously missed the point that we won't put a ceiling on it, either. We are letting the arbitrator go in unhandcuffed. We will not dictate to the arbitrator what he may or may not look at. We will not anticipate in any way. Although I have some sympathy for the arguments opposite, we have taken that position and, as I say, please vote for the amendment. I intend to vote against it.

MR. KOSKIE: — I would like to raise one more point. I know as a fact that the base offer by SHA was 12.5 per cent plus additional benefits, which would bring it in the range of over 17 per cent . . . (inaudible interjection) . . . I'll ask you any question I want to ask. I want to tell you that that is the base offer made by SHA, and to come with a floor amount, an interim amount of 6 per cent, will not interfere with the arbitrator. It's a red herring, and it's an attack against labor.

MR. SHILLINGTON: — Very brief . . . (inaudible interjection) . . . Yes, I'm going to read the paper again for you guys. You don't seem to have a subscription to the paper. I notice . . . (inaudible interjection) . . . No, it is not. It's the *Leader-Post*. I know you people get such bad press that you can't tell the difference. You're getting such terrible press these days that you're having trouble telling the difference, but this is not the *Commonwealth*.

I'll just point out to the member an advertisement by the Saskatchewan Health-care Association in which they point out that a minimum of \$165 a month was offered by the Saskatchewan Health-care Association. Surely a floor of \$125 is not going to cause any sort of an embarrassment to an arbitrator who is faced with this sort of public information. Surely the minister is drawing a red herring. Surely the minister can exercise the discretion and show himself to be a statesman and admit that not all good ideas emanate from the treasury benches. Some come from the opposition.

HON. MR. BERNTSON: — I know that some months ago there were lots of good ideas coming from the opposition, and this particular idea isn't without merit. As I have said before, I have some sympathy for your argument, but we don't intend to change our minds. We have taken the decision that we will not put on a floor or a ceiling, as the member for Assiniboia-Gravelbourg has suggested. We will not anticipate the arbitrator. Vote for your amendment. Please do . . . (inaudible interjections) . . . We've offered several times, in answer to your questions, to go slowly and keep the words small, but I just don't know how it can be slower or kept tighter, because you just don't seem to grasp what we're trying to say. We are not anticipating the arbitrator. We will not be supporting your amendment.

Amendment negated on the following recorded division.

YEAS — 6

Koskie
Hammersmith

Engel
Lusney

Lingenfelter
Shillington

NAYS — 44

Devine
Berntson
Thatcher
Hardy
Klein
Duncan
Hampton
Tusa
Sauder
Meagher
Smith (Moose Jaw South)
Rybchuk
Gerich
Hepworth
Johnson

Birkbeck
Lane
Muirhead
McLeod
Martens
Smith (Swift Current)
Weiman
Sutor
Petersen
Schmidt
Hopfner
Caswell
Embury
Folk
Baker

Taylor
Rousseau
Sandberg
McLaren
Currie
Boutin
Bacon
Sveinson
Glauser
Parker
Katzman
Young
Dirks
Myers

Clause 6 agreed to.

Clauses 7 to 12 inclusive agreed to.

Clause 13

HON. MR. BERNTSON: — Mr. Chairman, just before we get out of committee, I want to say that no one takes any particular delight in bringing this type of legislation to the legislature. I think it's generally accepted that, in principle, it was necessary for the legislature to move in the way that we did. We may differ as to detail in the bill.

I want to thank the members and the staff of the legislature for, on very short notice and in some instances with some difficulty, getting in to participate in this debate. As I say, no one takes any particular delight in bringing this sort of legislation to the House. I think that it is a matter of concern for all of us that it is dealt with, and dealt with swiftly, out of concern for the health and safety of the cancer patients of Saskatchewan, and I once again want to thank those who came in on such short notice to deal with it.

Clause 13 as amended agreed to.

The committee agreed to report the bill as amended.

THIRD READINGS

Bill No. 38 — An Act respecting the Maintenance of Operations of the Saskatchewan Cancer Foundation

HON. MR. BERNTSON: — With leave, I move that the amendment now be read a first and second time.

Motion agreed to.

HON. MR. BERNTSON: — Mr. Speaker, with leave, I move this bill now be read a third time and passed under its title.

Motion agreed to and bill read a third time.

MOTION

House Adjournment

HON. MR. BERNTSON: — Mr. Speaker, while we're waiting for His Honor, I have another motion that we can deal with. With leave, I move, seconded by the Minister of Finance:

That when this Assembly do adjourn at the end of the sitting day on which this motion is adopted, it shall stand adjourned to a date set by Mr. Speaker, upon the request of the government, and that Mr. Speaker shall give each member seven clear days notice, if possible, by wire and registered mail of such date.

Motion agreed to.

HON. MR. BERNTSON: — Mr. Speaker, it is my understanding that His Honor is on his way and may be about 10 to 15 minutes. I put myself in the hands of the House. If we want to formalize a recess for a coffee, I am prepared to move that. If we want to just informally have a recess in here, that is fine with me, as well. I think we can adjourn for a recess for 10 minutes and grab a coffee.

AN HON. MEMBER: — Why don't you formally recess and we can ring the bell to come back?

HON. MR. BERNTSON: — Okay. Could I have leave then to recess for 10 minutes? Is that in order?

ROYAL ASSENT TO BILLS

At 3:52 p.m. His Honor the Lieutenant-Governor entered the Chamber, took his seat upon the throne and gave royal assent to the following bill:

Bill No. 38 — An Act respecting the Maintenance of Operations of the Saskatchewan Cancer Foundation.

His Honor retired from the Chamber at 3:54 p.m.

The Assembly adjourned at 3:54 p.m.